

AGENDA

BOARD OF MAYOR AND ALDERMEN

July 11, 2006

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Recognition of 34 high school seniors who will be entering military service.
4. Presentation of Certificate of Appreciation to the City for its assistance during the flooding in May by Seacoast Career Schools.
5. Presentation of Report on Refugee Resettlement in Manchester.
6. Presentation regarding development in the Gold Street area including petition to amend zoning districts submitted on behalf of GFI Gold Street, LLC now to include Map 875, Lots 14, 15 and 16 as recommended by the Planning Director, various agreements and future actions to be considered by the Board.
(Following presentation, a motion would be in order to refer the proposed zoning amendments to Public Hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic chambers of City Hall and further to authorize execution of agreements enclosed subject to the review and approval of the City Solicitor.)
7. Report relative to the Seal Tanning and Granite Street Parking Lots, if available.
8. Discussion relative to the Manchester Employees' Contributory Retirement System.

CONSENT AGENDA

9. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Accept BMA Minutes

- A. Minutes of meetings held on March 7, 2006; March 21, 2006 (two meetings); March 29, 2006; April 4, 2006 (two meetings); April 17, 2006; April 18, 2006 (two meetings); May 2, 2006 (two meetings); and May 3, 2006.
(Note: available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)

Ratify and Confirm Poll Conducted

- B. On May 31, 2006 approving the setting of polling hours for the State Primary Election to be held on September 12, 2006 from 6 AM until 7 PM.
(Unanimous vote)

Approve under supervision of the Department of Highways subject to the availability of funding

- C. Sidewalk Petitions – 50/50 Program FY2007.
(Note: available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)

Approve under supervision of the Department of Highways

- D. PSNH Pole Petition #11-1112 located on Ash Street;
PSNH Pole Petition #11-1113 located on Faltin Drive; and
Verizon Pole Petition #9AAYZB located on Bowman Street.

Informational – to be Received and Filed

- E. Manchester Health Department monthly report summary, June 2006.
- F. Copy of a communication from school nurses expressing their concerns pending possible transfer to the Manchester School District.
(Note: response from the Health Director enclosed.)
- G. Minutes of the June 21, 2006 meeting of the Mayor's Utility Coordinating Committee.
- H. Minutes of the April 25 and May 30, 2006 meetings of the MTA Commission and the Financial and Ridership Reports for the months of April and May 2006.
- I. Communication from the NH Division of Historical Resources advising that on June 14, 2006 Stark Park was entered into the National Register of Historic Places.
- J. Copy of a communication from Congressman Bradley relative to flooding in May 2006.

REFERRALS TO COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- K. Proposed Zoning Changes as follows:

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.”

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include all of Tax Map 381, Lot 47.”

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned R-1B(PO) (Residential One Family/Professional Office Overlay) located on the northeasterly side of South Willow Street.”

“Amending the Zoning Ordinance of the City of Manchester by changing the expiration period of variances, special exceptions, and conditional use permits in Article 15.03 to be consistent with the expiration period in Article 14.02.”

“Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District for clarification and consistency with the original intent of the special lot sizes in this district.”

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.09B 2 regarding the use of front yard areas for parking in residential districts.”

“Amending the Zoning Ordinance of the City of Manchester by adding language to 5.11 Table of Accessory Uses regarding the storage of unregistered automobiles.”

“Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot Width in Article 3.03 Definition of Terms.

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 9.07 to restrict the location of electronic message boards and flashing signs.”

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

(Concurrent referral to the Committee on Bills on Second Reading and to a public hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall.)

- L.** Design Guidelines for the Arena Overlay District.
(Note: available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)
(Concurrent referral to the Committee on Bills on Second Reading and to a public hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall.)

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- M.** Recommending that the 4th quarter FY2006 write off list for the accounts receivable module be approved.
(Unanimous vote)
- N.** Advising that it has accepted the City’s Monthly Financial Statements (unaudited) for the eleven months ended May 31, 2006 for FY2006 and is forwarding same to the Board for informational purposes.
(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Unanimous vote)
- O.** Advising that it has accepted the following Finance Department reports:
- a) department legend;
 - b) open invoice report over 90 days by fund;
 - c) open invoice report all invoices for interdepartmental billings only;
 - d) open invoice report all invoices due from the School Department only;

- e) listing of invoices submitted to City Solicitor for legal determination; and
- f) accounts receivable summary.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- P.** Advising that it has approved Ordinance:

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

COMMITTEE ON BILLS ON SECOND READING

- Q.** Recommending that ordinance amendments:

“Amending Sections 33.024, 33.025 and 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025 and 33.026 (Canine Handler Supervisor) of the Code of Ordinances of the City of Manchester .”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard voted yea; Alderman Gatsas abstained.)

- R.** Recommending that ordinance amendments:

“Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers.”

“Amending Chapter 1 Administration of the Building Code of the City of Manchester providing for increased fees.”

“Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code of Ordinances of the City of Manchester providing for increased fees.”

be referred to a public hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall.

(Aldermen Duval, Lopez, Garrity and Pinard voted yea; Alderman Gatsas abstained.)

S. Recommending that ordinance amendment:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

be referred to a public hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall.

(Aldermen Duval, Lopez, Garrity and Pinard voted yea; Alderman Gatsas abstained.)

COMMITTEE ON JOINT SCHOOL BUILDINGS

T. Advising that it has authorized processing of legal expense payments from the School Facilities Improvement Project Contingency regarding Gilbane.
(School Committee Members Beaudry, Herbert, Gelinas and Alderman Roy voted yea; Aldermen Thibault and Forest were absent.)

U. Advising that it has authorized execution of DMJM Contract Amendment #3, as enclosed herein.
(School Committee Members Beaudry, Herbert, Gelinas and Alderman Roy voted yea; Aldermen Thibault and Forest were absent.)

COMMITTEE ON LANDS AND BUILDINGS

- V. Recommending that a request of the Currier Museum of Art for an easement to allow footings of a replacement and proposed retaining walls to encroach onto Beech and Prospect Streets rights of way be approved as described in the description enclosed herein and incorporated by reference, subject to review and approval of the City Solicitor and Public Works Director, with any related costs for document preparation and recording to be borne by the Currier Museum; and further that the Mayor be authorized to execute any documents relating to such transaction subject to the review and approval of the City Solicitor.

(Unanimous vote)

- W. Recommending that the City relinquish municipally controlled air rights held over the parking lot immediately South of the Jefferson Mill building to Brady Sullivan Properties in consideration of Brady Sullivan constructing, at their own expense, a deck providing parking for tenants. Additionally, Brady Sullivan is to convey to the City of Manchester rights to construct a riverwalk along the Merrimack River adjacent to the western wall/property line of their building. The Committee further recommends that execution of such relinquishment be made subject to the approval of the City Solicitor and Public Works Director.

(Unanimous vote)

- X. Recommending that the Board of Mayor and Aldermen find property located at L Chenette Street known as Map 0372, Lot 0010-A surplus to City needs and further that:

In accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated at L Chenette Avenue, known as Map 0372, Lot 0010-A by executing deeds releasing all rights, title interest, or claims in said property. Said property was acquired by the City of Manchester by virtue of Tax Collector's deed dated November 21, 1994, and recorded in the Hillsborough County Registry of Deeds, Volume 5593, Page 1655, on November 23, 1994.

The Committee advises that it finds just cause to dispose of such through sale to an abutter as the property can serve no public purpose, there is only one direct abutter to Lot 10A whose acquisition of said lot would adequately resolve a building encroachment problem. The Committee recommends sale to the abutters Donald J. Pouliot and Nancy E. Pouliot of 95 Brent Street conditional upon lot consolidation with Lot 10 at a price of Four Thousand One Hundred Fifty-dollars (\$4,150.00), a value deemed reasonable by the Board of Assessors.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deed accounts as deemed necessary. Pursuant to Statute requirements, enclosed is an ordinance which is recommended for referral to the Committee on Bills on Second Reading.

(Unanimous vote)

COMMITTEE ON PUBLIC SAFETY AND TRAINING

- Y** Advising that it has approved the Wayfinding Signage concept and request that staff return to the Committee with specific signage that will be placed in the pilot area consisting of the downtown and a small portion of the west side.

(Unanimous vote)

- Z.** Recommending that the Board approve the Traffic Signal Agreement between the City of Manchester and the Town of Bedford, as enclosed herein, and further that the Mayor be authorized to execute the agreement subject to the review and approval of the City Solicitor.

(Unanimous vote)

- AA.** Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.

(Unanimous vote)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

10. Nominations to be presented by Mayor Guinta, if available.
11. Confirmation of the nomination of Gerard L. Thibodeau to succeed Jen Drociak as a member of the Conservation Commission, term to expire August 1, 2006.
A motion is in order to confirm the nomination as presented.
12. **A motion is in order to accept the resignation of David Jespersen as a member of the Manchester Transit Authority, term to expire May 2007.**
13. Communication from Alderman Long submitting the nomination of Carol Ann Williams to succeed David Jespersen as a member of the Manchester Transit Authority, term to expire May 2007.
Per Rule 20 a motion is in order that the nomination layover until the next meeting.
14. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
15. Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

16. Report(s) of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
17. Report of the Committee on Community Improvement relative to a petition for discontinuance of a portion of So. Bedford Street, if available.
Ladies and Gentlemen, what is your pleasure?

18. Report of the Committee on Lands and Buildings relative to the Ash Street School, if available.

Ladies and Gentlemen, what is your pleasure?

19. State Legislative update presented by Mayor Guinta, if available.

20. Ordinances: **(A motion is in order to read by titles only.)**

“Amending Sections 33.024, 33.025 and 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025 and 33.026 (Canine Handler Supervisor) of the Code of Ordinances of the City of Manchester .”

These Ordinances having had their second reading by titles only, the question is on passing same to be Enrolled.

21. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

22. Mayor Guinta calls the meeting back to order.

23. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.

Ladies and Gentlemen, what is your pleasure?

24. Communication from Frank Thomas, Public Works Director, requesting authorization to accept State funds and execute any related documents for the Household Hazardous Waste Collection Project to be held on Saturday, October 14, 2006.

A motion is in order to accept the funds, remand for the purpose intended, and authorize the Public Works Director to execute any documents necessary to carry out the project.

25. Communication from Chuck DePrima, Deputy Director, relative to an Executive Order issued by the NHDES to the City mandating the completion of either repair or removal of the Black Brook Dam.

Ladies and Gentlemen, what is your pleasure?

26. Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

(Note: Clerk to present amount at meeting.)

Ladies and Gentlemen, what is your pleasure?

27. Ordinances: **(A motion is in order to read by titles only.)**

“Amending Sections 33.024, 33.025 and 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025 and 33.026 (Canine Handler Supervisor) of the Code of Ordinances of the City of Manchester .”

“Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein.”

These Ordinances having had their third and final reading by titles only, the question is on passing same to be Ordained.

28. Resolution:

“Resolution adopting the provisions of RSA 261:54 Additional Fees for Registration Permits.”

If the Board so desires, a motion is in order that the Resolution be Adopted.

TABLED ITEM

A motion is in order to remove the following item from the table for discussion.

29. Report of the Committee on Human Resources/Insurance recommending that the Board establish a policy preventing part-time employees from purchasing health insurance upon retirement.
(Tabled 06/06/2006)

30. NEW BUSINESS

- a) Communications
- b) Aldermen

31. If there is no further business, a motion is in order to adjourn.

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Handout

Report on Refugee Resettlement in Manchester



**The City of Manchester
Refugee Resettlement Advisory Committee**

May 2006



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May 2006

Transmittal of City Government Refugee Advisory Committee Task Force Report

Dear Mayor Guinta:

We are please to submit to you a report on matters pertaining to the resettlement of refugees into the City of Manchester. This work was first started in 2005, when former Mayor Robert Baines convened our committee to examine refugee resettlement matters.

The committee examined the NH refugee resettlement process, the capacity of our community to adequately support refugees in addition to other families in need, and what the unmet needs are for this population. Throughout its work, committee members often reflected on the fact that, in many respects, the difference between members of the committee and today's refugee population is that our families have been in the United States for but a couple of generations. The United States has been the world's "melting pot" when it comes to assimilating persons of different nationalities and cultures into one society. Today's refugee resettlement is a continuation of our country's heritage of accepting others who are often seeking to escape persecution. Manchester has admirably continued this tradition.

However, a lot has changed since the great wave of immigration of a century ago. Most notably, Manchester does not have the unlimited opportunities for work, particularly unskilled labor that it had 100 years ago. In spite of the strong work ethic and desire to succeed that refugees come to America with, without work that can provide a living wage, their families' well being and future success is already in jeopardy. The acculturation of refugee children and families poses another challenge for successful assimilation into American culture. The lack of family support services beyond the eight months that resettlement agencies are obligated to provide support represents a significant obstacle in the long process of assimilation.

Our hope is that our report will be used as a benchmark against which we can measure progress in the years ahead.

Frederick A. Rusczek
Public Health Director
(Committee Chair)

Henry Aliberti
Assistant Superintendent of Schools

John Jaskolka
Police Chief

Paul Martineau
Welfare Commissioner

Robert Mackenzie
Planning Director

William Shea
Chairman, BMA, 2005



Manchester City Government Refugee Resettlement Advisory Committee

REPORT ON REFUGEE RESETTLEMENT IN MANCHESTER

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Manchester City Government Refugee Resettlement Advisory Committee

REPORT ON REFUGEE RESETTLEMENT IN MANCHESTER

Executive Summary

From its beginning in mid 1800's, Manchester has a rich history in welcoming new residents from all over the world. Its mills were run by workers who emigrated from many different countries in search of work and the opportunities that America affords those who are willing and able to work. These immigrants largely built this country and became part of its American culture. Much like many immigrants of 100 years ago, refugees are deeply appreciative of both the opportunity to escape political and religious persecution at home and the opportunity afforded by a life in America. The United States is but one of about 150 countries which accepts refugees for resettlement. Like immigrants in years past, most refugees wish to become American citizens as soon as they can. Many have already found success here and have become community business owners, outstanding students, valued employees, and cherished neighbors and friends. Manchester has compassionately supported refugee resettlement for many years. However, the large number of refugees placed in Manchester by resettlement agencies in recent years has jeopardized the capacity of City and community agencies to provide necessary services, and has, in turn, jeopardized the current and future quality of life for many refugee families. As a result, in 2005, Mayor Robert Baines appointed a committee of City government representatives to examine issues related to refugee resettlement in Manchester.

Key Committee Findings

Community capacity to assimilate refugees:

On a rate basis (i.e. refugees per 100,000 population) New Hampshire resettled refugees at a rate 3 times the national average in Federal Fiscal Year 04. (FFY 04 – national rate – 17.8 refugees per 100,000 population; New Hampshire rate 43.2 refugees per 100,000 population.) Manchester, with 8.4 % of the State's population, has consistently received the vast majority of refugees resettled in New Hampshire. For State FY 04, 80 % of the State's refugees were resettled in Manchester. Manchester has resettled more refugees in FFY 04 (364 individuals) than the state of Maine, Vermont, or Rhode Island. In fact, this number of refugees placed in Manchester is more than the number resettled in 23 States. A proportionate "fair share" for Manchester, based on NH's resettlement rate, would have been 45 refugees.

While the challenge of providing services in close to 100 languages is enormous, the City government and community agencies are required by Federal law to provide services in the language of the recipient. For example, the Manchester Health Department has 596 different language versions of the forms and documents it uses in its programs. Dealing with so many different languages and cultures exacerbates the challenges inherent in serving non-English speaking populations.

Report on Refugee Resettlement in Manchester

New Hampshire Refugee Resettlement process:

The State of NH does not utilize a systematic process to analyze the capacity of a community to assimilate refugees. Two communities, Manchester and Concord, which have been NH's preferred resettlement sites have poverty rates of roughly 8 % and 6 % respectively, and median family incomes of about \$ 40,000 (US 2000 census). By comparison, Nashua with a poverty rate of 5 % and a median family income of \$ 60,000 has not received any refugees in the last 20 years.

There are two primary refugee resettlement agencies in NH, Lutheran Social Services and the International Institute of New Hampshire (an affiliate of the International Institute of Boston), which place refugees in Manchester. Lutheran Social Services is headquartered in Concord and does not maintain a physical site in Manchester for refugee services.

Other than being advised when refugees will soon be coming to Manchester through City staff who may attend statewide refugee advisory committee meetings, the NH Office of Refugee Resettlement does not confer with Manchester city officials prior to resettling refugees here. The NH Office of Refugee Resettlement reports that it has no say or authority to influence where refugee resettlement agencies locate refugees in the State.

After 8 months, the two refugee resettlement agencies are no longer obligated to provide services to refugee families. While the responsibility of the resettlement agencies to support refugee families ends after 8 months, many refugees will need support for years to come. Currently, there are not any community agencies or programs whose mission is to support the acculturation of refugee families after the initial 8 months.

Meeting basic needs for refugee families:

Housing: Refugee families are often inappropriately resettled in housing that has threatened their basic health and general welfare. For example, a refugee family with a wheelchair bound child was placed in a second floor unit without handicap accessibility; as many as 16 refugees were placed in one 3 bedroom unit, and refugee children who are malnourished and highly susceptible to being lead poisoned are placed in units with lead paint hazards. A refugee child died of lead poisoning in Manchester in April 2000, becoming what was the last childhood death to lead poisoning in this country. The high cost of housing in Manchester consumes an inordinate percentage of refugee families' income.

Employment: According to a recent State report, the average refugee employee makes \$ 7.78 per hour. Some Manchester refugees are provided with employment out of town (eg Loudon) therefor incurring private transportation costs, which deeply cuts into their income. Health insurance is either not offered as an employment benefit or has a co-pay cost beyond the means of the refugee employee. As a result, many refugees will require community support services, including access to health care, for years to come. Transportation remains a significant barrier for refugees seeking employment.

City Services - Education: In FY 04, the Manchester School District was the educational home for 2,316 "English Language Learner"(ELL) students who collectively represented 76 languages

Report on Refugee Resettlement in Manchester

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as primary languages. In addition to translation needs for traditional educational services, student support services are also provided in these different languages. For many refugee children, success in school will require additional services to address underlying factors such as post traumatic stress and the challenge of acculturation.

City Services – Health: Refugees present health issues and challenges that are representative of the country from which they originate. This can include tuberculosis infection, HIV, hepatitis B, syphilis, giardia, malaria, or a number of other communicable diseases. Upon resettling in a community, all refugees must be seen by the local health department. As a result, refugees do not present a public health threat to others, but do require considerable resources to follow up with necessary services by the Manchester Health Department and local health care providers. While refugees have Medicaid for the first 6 months, after this refugee adults are usually uninsured. This adds to the growing burden of uninsured persons who require charity care from Manchester hospitals and health care providers.

Interpretation has become a significant challenge for city and community agencies alike. The cost for interpretation is \$ 45 per hour when purchased from the Language Bank, or \$ 1.89 per minute (\$ 113 per hour) when purchased through the AT & T Language Line. The cost and challenge of interpretation is influenced not only by the number of non-English speaking clients, but also by the number of different languages spoken in the Manchester community.

Report on Refugee Resettlement in Manchester

Introduction

From its beginning in mid 1800's, Manchester has had a rich history in welcoming new residents from all over the world. Its mills were run by workers who emigrated from many different countries in search of work, and the opportunities that America affords those who are willing and able to work. These immigrants largely built this community and became part of its American culture. Much like immigrants of 100 years ago, refugees are deeply appreciative for both the opportunity to escape political and religious persecution at home and the opportunity afforded by a life in America. The vast majority wishes to become new Americans as soon as they can. Many have already found success here and have become business owners, outstanding students, valued employees, and cherished neighbors and friends.

During the period between FY 2000 and FY2004, over 250,000 "refugees" from around the world were resettled throughout the United States. Of the more than 2100 refugees who resettled in New Hampshire, over 1600 were resettled in Manchester. Since Manchester comprises only 8.4 percent of the total population of the State, but has received close to 80 % of the refugees resettled in NH, this disproportionate resettlement has strained City, school, health care, and community services. Nashua, by comparison, did not receive any refugees within this period.

The need for better community and state planning was manifested in the concerns expressed about access to health care, safe housing, and capacity of the education and social services network to absorb additional families. As a result, in 2005, Mayor Robert Baines appointed a committee of selected City Department Heads, School District Administrators, and the Chairman of the Board of Aldermen to examine issues related to refugee resettlement in Manchester.

Report on Refugee Resettlement in Manchester

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The official purpose of the “City Government Refugee Advisory Committee” was to examine the resettlement process for refugees entering Manchester with the goal of insuring that resources, services, employment prospects, education, healthcare and housing have all been appropriately considered prior to resettlement

The committee was comprised of the following individuals:

Frederick A. Rusczek, Public Health Director (Chair)
Robert MacKenzie, Planning Director
Paul Martineau, Welfare Commissioner
Henry Aliberti, Assistant Superintendent, Manchester School District
John Jaskolka, Police Chief
Mike Colby, Mayor’s Assistant
William Shea, Chair, Manchester Board of Aldermen

The examination process included:

- Reviewing the current status of refugees in Manchester, and the national system of refugee placement
- Receiving a presentation from the NH Office of Energy and Planning on the State Refugee Resettlement Plan
- Receiving a presentation from the resettlement agencies on their resettlement projections and service plans for the year ahead
- Receiving feedback from community agencies on services provided
- Hearing from resettled refugees on challenges, problems,
- Identifying service and resource needs for the City

The following report is based on this examination.

Note: FFY is an abbreviation used for Federal Fiscal Year, meaning October thru September

FY is an abbreviation used for the State/City Fiscal Year meaning July thru June

Report on Refugee Resettlement in Manchester

What is a refugee?

The 1951 International Refugee Convention created a definition for "refugee" which is still used today. In order to be eligible for international protections, an individual from any country must meet this definition.

A refugee is "a person who is outside of his/her country of nationality; has a well-founded fear of persecution because of his/her race, religion, nationality, membership in a particular social group, or political opinion, and is unable or unwilling to avail him/herself of the protection of that country, or to return there, for fear of persecution..."

Since 1951, it has been estimated that about fifty million people have received international protection from the 143 host governments that are parties to the Refugee Convention agreement. The Refugee Act of 1980 established the first systematic procedure for admission and resettlement of refugees in the US under the Office of Refugee Resettlement of the US Department of Health and Human Services.

Refugees can come from any country in the world, including developed nations and third world countries. Sometimes they are highly educated in their own country prior to resettlement in the United States. For such refugees, their high level of education, prior work experience, and similar culture leaves only language as a barrier to success in America. Other times, refugees are illiterate, usually as a result of living in a country torn by civil or tribal conflicts where education was not available. These individuals will need ongoing social and financial support for a much longer period of time, most likely long after the initial 8 months of federal support has expired.

Where do Manchester's refugees come from?

In FY 04, the majority of refugees (88 %) who resettled in Manchester came from third world countries in Africa, including Liberia, Somalia, Sudan, Algeria, Burundi, Congo, Kenya, Rwanda, Sierra Leone, and Zambia. In addition to the 321 refugees from Africa, 43 refugees

Report on Refugee Resettlement in Manchester

came from Asia, Eastern Europe, or the Middle East. The African refugee families were the largest, with some families having as many as 6 – 10 children or more.

The resettlement process

The refugee resettlement process begins with a determination by the federal government on how many refugees it will allow into the country in a given fiscal year. Individuals, refugee groups, and family reunification cases that meet the “refugee” definition and are of special humanitarian concern to the United States are prioritized for acceptance. The US State Department and the US Department of Health and Human Services work with non-governmental agencies that “sponsor” refugees to resettle them nationwide, such as the International Institute of Boston, and Lutheran Social Services. When refugees are accepted for admission into the United States, the International Organization for Migration typically loans them travel money. Refugees are expected to repay this three-year, interest-free travel loan. Loan repayments are made through the resettlement agency.

The non-governmental agencies, such as the Lutheran Social Services and International Institute of New Hampshire, work with the federal government to determine which refugee populations they will receive and where in the United States they will be resettled. The federal government, in consultation with each State, determines the number of refugees that each State will receive. As indicated in the excerpts from the refugee act below, the federal government will, to the maximum extent possible, take into account the recommendations of the State with respect to the placement of refugees within a State. The NH Office of Energy and Planning, which is the State government link to the federal government in the refugee resettlement process, has steadfastly maintained that it has no say in the number or placement of refugees within the state. Rather, they have stated that this determination is up to NH’s two resettlement agencies.

Report on Refugee Resettlement in Manchester

Excerpts from the US Refugee Act

(Full text can be found at www.acf.hhs.gov/programs/orr/policy/refact1.htm)

Public Law 106-104

Section 412:

(B) It is the intent of Congress that in providing refugee assistance under this section –

- (iii) local voluntary agency activities should be conducted in close cooperation and advance consultation with State and local governments

(2)(A) The Director and the Federal Agency administering subsection (b)(1) shall consult regularly (not less often than quarterly) with State and local governments and private nonprofit voluntary agencies concerning the sponsorship process and the intended distribution of refugees and localities before their placement in those States and localities.

- (ii) provide for a mechanism whereby representatives of local affiliates of voluntary agencies regularly (not less than quarterly) meet with representatives of State and local governments to plan and coordinate in advance of their arrival the appropriate placement of refugees among the various States and localities.

- (iii) Take into account –

- (I) the proportion of refugees and comparable entrants in the population of the area
- (II) the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area,

- (C) With respect to the location of placement of refugees within a State, the Federal agency administering subsection (b)(1) shall, consistent with such policies and strategies and to the maximum extent possible, take into account the recommendations of the State.

Title 45 – Public Welfare (Relative to the State plan)

Section 400.5 Content of the plan.

- (b) Describe how the State will coordinate cash and medical assistance with support services to ensure their successful use to encourage effective refugee resettlement and to promote employment and economic self-sufficiency as quickly as possible.

- (h) Provide that the State will, unless exempted from this requirement by the Director, assure that meetings are convened, not less than quarterly, whereby representatives of local resettlement agencies, local community service agencies, and other agencies that serve

refugees meet with representatives of State and local governments to plan and coordinate the placement of refugees in advance of the refugees' arrival.

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The excerpts from Federal Refugee Act, PL 106-104, indicate that voluntary agencies should conduct their activities “in close cooperation and advance consultation with State and local governments”. This has not been the case in Manchester. Other than being advised when refugees will soon be coming to Manchester through City staff who may attend statewide refugee advisory committee (RAC) meetings, neither the voluntary resettlement agencies nor the NH Office of Refugee Resettlement has conferred with Manchester city officials prior to resettling refugees here. The type of consultation necessary to assure that the community is prepared to support the refugees’ needs should be centered on “the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area”, as stated in the US Refugee Act referenced above. Clearly, the excerpts from the Refugee Act presented above suggest that the intent of Congress was to establish an organized system of resettlement where local communities are consulted beforehand and are then prepared to meet the service needs of refugees.

There are two primary refugee resettlement agencies in NH, Lutheran Social Services(LSS) and the International Institute of Boston - NH (IINH), that place refugees in Manchester. Lutheran Social Services is headquartered in Concord and does not maintain a dedicated physical presence in Manchester for refugee services. IINH is located on Pine Street and has been accessible to refugee families and the community for several years. Both organizations receive federal funds to support refugee resettlement work, much of which is provided on a “per refugee” basis. Between the two agencies, over 30 individuals are employed to help refugees resettle in NH. This support is generally limited to the first 8 months of resettlement. In addition, LSS runs the Language Bank, which provides interpreter services for a fee (\$ 45 per hour) to agencies that need interpreters. Some of the federal funding that is

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provided to IINH and LSS passes through the NH Office of Refugee Resettlement via the State contract process, while the rest is reimbursed directly.

In contrast to the large organizations that have been created to help refugees resettle, little support exists to help communities provide the support services central to the acculturation and success of refugee families. For example, other than approximately \$ 15,000 to help with translation costs, the City of Manchester does not receive any federal or state support to help defray the cost of providing services to refugees. The Health Department had received \$ 14,495 for TB related services for some of the additional costs associated with TB control. However, the State cut this funding by \$ 6,800 in October, 2005. Like other community agencies, the cost of interpretation services for the Health Department is significant. Some of the interpretation services are purchased from LSS for \$ 45.00 per hour, other times it is purchased from the Language Line at \$ 1.89 per minute, or \$ 113.40 per hour.

After 8 months, the IINH and LSS are no longer obligated to provide services to refugee families. While the responsibility of the resettlement agencies to support refugee families ends after 8 months, many refugees will need support for years to come. According to a recent National Public Radio report, it generally takes 12 years for an eastern-European family to become self-sufficient. Refugees from undeveloped nations who are often illiterate in their own language, will likely require a much longer period to become self-sufficient.

Community capacity to assimilate refugees:

Manchester has received the lion's share of the refugees resettled in New Hampshire. For FY 04, 80 % of the State's refugees were resettled in Manchester although it only represents about 8.5 % of the State's population.

At the crux of the challenges that City departments and community agencies face with refugee resettlement in Manchester is the limited capacity of the community to provide the

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services necessary for a refugee family to thrive and grow in American society, rather than live in poverty with long-term government assistance. After the six to eight months of federal support, refugee families are left to rely upon services in their new community for necessary supports. The capacity of a community to assimilate and support new refugee families is influenced by many factors including the educational background and health needs of the families to be resettled, the percentage of the existing population within a community that lives in poverty, and the relative “wealth” of the community. The charts that follow compare Manchester’s refugee resettlement experience and socio demographics to other NH communities and to other New England states and New York.

Refugee Arrivals by State of Initial Resettlement, Federal FY 2004

State	Refugee Arrivals	Population	Rate – Refugees resettled per 100,000 population
US rate	52,387	293,500,000	17.85
Connecticut	409	3,503,604	11.67
Maine	187	1,317,253	14.19
Massachusetts	1,515	6,416,505	23.60
New York	3,022	19,227,088	15.72
Rhode Island	313	1,080,632	28.96
Vermont	235	621,394	37.82
New Hampshire	561	1,299,500	43.17
Manchester	364	108,871	339.85
<i>Manchester’s proportionate “fair share” based on NH overall state rate:</i>			47

On a rate basis (i.e. refugees resettled per 100,000 population), NH resettles refugees at a rate 3 times the national rate. (FFY 04 – national rate – 17.8 refugees per 100,000 population; New Hampshire rate 43.2 refugees per 100,000 population) Compared to other New England

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states, New Hampshire accepts refugees at a considerably *higher* level. Manchester, with less than 9 % of the State population, is then relied upon to support about 80 % of the refugees resettled to date. *Manchester has had more refugees resettled in FFY 04 (364) than the state of Maine, Vermont, or Rhode Island. This number of refugees placed in Manchester is more than the number resettled in 23 entire States. For this Federal FY 04 fiscal period, no other community in the United States could be found that had resettled refugees at a higher rate than Manchester had. If Manchester received refugees in proportion to its population, its "fair share" based on the NH overall state rate would have been 47 refugees.*

The Refugee Act states that the process must "Take into account ...the proportion of refugees and comparable entrants in the population of the area,... and the availability of employment opportunities, affordable housing, and public and private resources (including educational, health care, and mental health services) for refugees in the area". Clearly, compliance with this federal requirement is not the case in New Hampshire.

Perhaps due to its stated belief that it does not have a say in where refugees are resettled within a State, the State of NH Office of Refugee Resettlement does not utilize a formula or process to analyze the capacity of a community to assimilate refugees. For example, two communities, Manchester and Concord, which have been NH's primary resettlement sites, have poverty rates of roughly 8 % and 6 % respectively, and median family incomes of about \$ 40,000 (US 2000 census). By comparison, Nashua with a poverty rate of 5 % and a median family income of \$60,000 has not received any refugees in the last 20 years. The chart below provides a socioeconomic comparison of selected NH municipalities.

This data indicates that neither the State of New Hampshire nor the two refugee resettlement agencies take into consideration the capacity of a community to provide the services

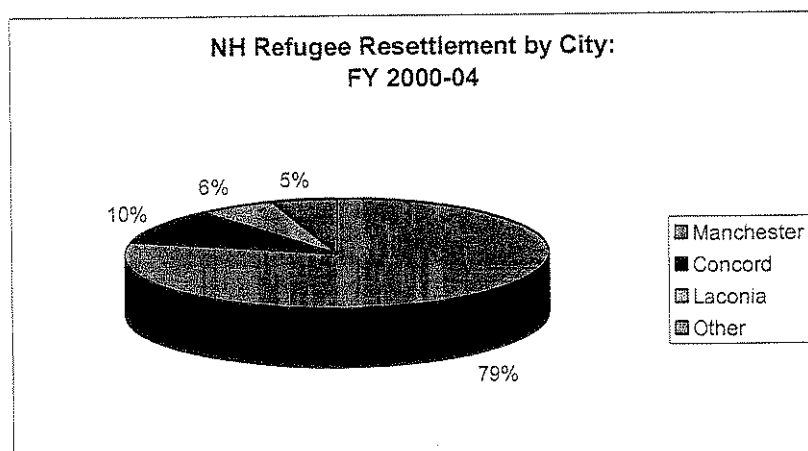
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necessary to insure that a refugee family will thrive and succeed.

Socioeconomic comparison of Four NH municipalities, 2000 Census

	Nashua	Manchester	Concord	Salem
Population	84976	104398	37478	27938
Families	22199	26284	9748	7609
Under poverty level	1119	2023	603	238
% poverty	5.04%	7.70%	6.19%	3.13%
Individuals below poverty	5,743	11,103	2,980	1,155
% of total population	6.80%	10.60%	8.00%	4.10%
Per capita income	\$25,209	\$21,244	\$21,976	\$26,170
Household income				
median	\$61,102	\$40,774	\$42,447	\$58,090
mean	\$70,709	\$50,362	\$52,451	\$71,743
Diversity				
foreign borne	8778	10035	1737	1803
1990 - 2000	4180	5336	672	535
"" % of total	47.6	53.2	38.7	29.7
Refugees resettled – FY 00 - FY 04 (approx)	-0-	1680	210	-0-

NH Refugee Resettlement by City



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The challenge to City government and community agencies of providing services in close to 100 languages is enormous. In trying to meet refugee service needs, City government and community agencies must comply with Title VI of the US Civil Rights Act. This act requires that services be provided in the language of the service recipient. Dealing with so many different languages presented by the many refugees resettled here exacerbates the challenges and the cost inherent in serving so many non-English speaking populations. For example, the Manchester Health Department has 596 different language versions of the forms and documents it uses in its programs.

Does the disproportionate resettlement of refugees in Manchester create an “unfunded mandate”?

The question of whether or not the process of refugee resettlement in New Hampshire constitutes an “unfunded mandate” under State law often arises when Manchester’s disproportionate burden is discussed. There are two State laws that pertain to unfunded mandates:

541-A:25 Unfunded State Mandates. –

I. A state agency to which rulemaking authority has been granted, including those agencies, the rulemaking authority of which was granted prior to May 6, 1992, shall not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate further expenditures by the political subdivision unless such programs or responsibilities are approved for funding by a vote of the local legislative body of the political subdivision. Such programs include those functions of a nature customarily undertaken by municipalities whether or not performance of such functions is required by statute.

II. Such programs also include, but are not limited to, functions such as police, fire and rescue, roads and bridges, solid waste, sewer and water, and construction and maintenance of buildings and other municipal facilities or other facilities or functions undertaken by a political subdivision.

III. Included in the scope and nature of such programs are those municipal functions which might be undertaken by a municipality or by a private entity and those functions which a municipality may legally choose not to undertake.

541-A:26 Administration of Federal Mandates. – Any state agency, when administering federal mandates, shall not mandate or assign to any political subdivision any new, expanded or modified programs or responsibilities additional to the federal mandate in such a way as to necessitate

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additional local expenditures by the political subdivision unless such programs or responsibilities are fully funded by the state or unless such programs or responsibilities are approved for funding by a vote of the local legislative body of the political subdivision.

If the State government were to be more involved in the refugee resettlement process as indicated in Federal law, the language in the above State laws suggests that it would then be in conflict with the statute.

Meeting refugee families' basic needs –

Housing:

The average cost for housing that the resettlement agencies pay is not readily available. However, the median rent for a two bedroom apartment in Manchester is \$ 1,046 a month (range \$ 567-1,796) compared to \$ 1,056 a month in Nashua (range \$600 – 1,769), based on information from the NH Housing Finance Authority's 2005 Residential Rent Survey. Although average rental cost for refugee families is not available, LSS and International Institute have indicated that one of the reasons they choose to resettle refugees in Manchester is the availability of large apartments at a reasonable cost. The large apartments are needed, according to resettlement agencies, due to the large size of many of the refugee families.

However, many of Manchester's housing units are older tenement buildings that are may contain lead hazards. Lead hazards are particularly dangerous for refugee children who may be malnourished and highly susceptible to lead poisoning. Any perceived cost saving from placing refugee families in the lowest cost rental units available is sometimes lost to increased health care costs and to the diminished health of the children. A 2-year-old refugee child died of lead poisoning in Manchester in April 2000, becoming what was the last childhood death to lead poisoning in this country. Since this death, refugee resettlement agencies have been advised on several occasions that refugee children should not be placed in units with unknown lead paint

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conditions. In FY 05, over 50 refugee children were lead poisoned in Manchester, with three of these children requiring hospitalizations for treatment.

The lack of suitable housing in Manchester has also led to refugees being resettled in housing that has threatened their basic health and general welfare. For example, a refugee family with a wheelchair bound child was placed in a second floor unit which was not handicapped accessible, and as many as 16 refugees were placed in a 3 bedroom unit in November, 2004.

Employment:

According to a recent State report, the average refugee employee makes \$ 7.78 per hour. To live above the poverty level a family with six children would need to have an income of over \$ 32,000 per year, which would require a hourly wage approximately twice what the average refugee wage level is. At the average wage level, two working parents with 6 children and no childcare expenses would barely be able to move out of poverty. Most federally funded support programs such as Medicaid recognize levels of income of 200 % (or higher) as low income with such families eligible for support.

Two significant Manchester area employers of refugees, CCT and Tyson Foods, have recently closed. This has forced many refugee workers to look for employment outside of Manchester. Some Manchester refugees are linked by one of the resettlement agencies to employment in Loudon, NH therefore incurring significant private transportation costs, which deeply cuts into their income. At the average wage given above, it is easy to understand why many refugees will require community support services, including access to health care, for years to come.

Refugees who come from developed nations and who have received a formal education fair much better in the employment area than others. Success stories of refugees who have

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started and run prosperous businesses are not uncommon. Based on a report of experiences of refugees in Utica, NY, it was determined that eastern-European refugees generally became self sufficient after 12 years. However, some have suggested that the acculturation process that is required to achieve self-sufficiency for groups such as the Somali Bantu will take much longer, if at all. The Somali Bantu, as well as many other African refugees, have usually lived for protracted periods in refugee camps, without the benefit of education and services for children and families alike. According to U.S. Department of State information, most Somali adults have never attended school and do not read or write in their own language. If they have employment experience, it likely would have been in farming or manual labor jobs.

The lack of transportation is a significant barrier for refugees seeking employment. With few jobs available in Manchester, refugees often must rely upon others for transportation to jobs out of town. Some employers have recognized that workers without driver's licenses are likely to experience difficulties in getting to work on a regular basis. As a result, some employers require driver's licenses as a condition of employment. Since resettlement agencies are not required to provide support for driver training programs, many refugees are not able to acquire driver's licenses and therefore are unable to attain work.

Education:

The educational challenges confronting refugee children are profound. First, is the challenge of overcoming the trauma associated with moving to another part of the world and leaving a world of deprivation and family losses. This challenge is exacerbated by the language and cultural differences of the new host community. Such a traumatic event places children at a great developmental risk that can impair cognitive abilities as well as academic, emotional and behavioral functioning. Refugee children are vulnerable to academic and social problems that

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are influenced by a number of factors such as age, culture, parental and community support, and the reception by the host community. At times, refugee children have to overcome the psychological trauma of witnessing war related events of the torture and death of family and community members. For a child to find success in school, such external issues must be addressed.

The City of Manchester School District has provided "English Language Learner"(ELL) continuously since 1969 and has steadily expanded the amount and types of services provided to these students. The commitment of the School District to this diverse student population is unquestioned. A significant challenge for the Manchester School District is to prepare its refugee population for state assessments as required by the No Child Left Behind Act.

The cultural backgrounds of the refugee/immigrant students vary radically from those of the majority of their NH peer group for which the NH Grade Level Expectations and NECAP Assessment are designed. The cultural context within which language and cognitive development occurs is significantly different between the majority population and the NEP/LEP population. The process of acculturation, or adjustment to another culture, can be long and sometimes stressful. For some students, the US is their second place of refuge, having left their home country and lived in refugee camps. Often this requires learning a new language and culture. For these students, English may be their *third* language and culture. "A student who is totally unacculturated to the mainstream culture is clearly at a disadvantage in the assessment process" (Chamberlain & Madeiros-Landurand, 1991) "because the student may respond to questions differently from his or her mainstream peers and may not have similar background knowledge and experiences (Liu,Thurlow, Erickson, Spicuzza, Heinze, 1997). This corresponds to schema theory in literacy development which "holds that comprehending a text involves an

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interaction between the reader's background knowledge and the text itself...requires more than linguistic knowledge"(Drucker, 2003).

Post-traumatic stress disorder (PTSD) is a common feature of newly resettled refugee children and affects their academic skills. Information from a recent study of Bosnian refugees (provided by the liaison in the Refugee-School Impact group of the IINH) stated that 90% of children had witnessed or suffered trauma. They have seen family members murdered and or tortured; had parents taken away from them; and suffered all manner of stress and loss. These traumatic events are difficult for young children to process and can impede cognitive abilities such as attention and memory, and can cause emotional problems, which manifest themselves through regressive or aggressive behavior and flashbacks.

The academic backgrounds of some refugee and immigrant students are very limited. Because of war, migration, or economics, for many of the newly arrived NEP/LEP students enrollment in an ELL class is the children's first formal school experience. Others may have received a very limited amount of formal education. Some students have had their educations interrupted by war or migration. Some have had access to only a rudimentary education in a refugee camp or a rural village, but this is not equivalent to schooling, which would prepare an individual for NECAP Assessment. Even immigrant students who have received formal education in their own countries will not have followed a curriculum equivalent to the NH Grade Level Expectations.

The linguistic backgrounds of some ELL NEP/LEP students are very different from English. Some of these families are fluent in only their tribal languages or dialects, which are oral traditions and have no written counterpart. Parents, then, are illiterate and the concept of literacy is new to them and their children. For other students, their primary language is "tonal" in

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which phonetics does not play the same role as in English. Still other children may be literate in their languages but use a Cyrillic alphabet different from our American English alphabet or Chinese characters. These are challenges that further delay the acquisition of English. Curricula across the many countries represented in an ELL class are not equivalent and due to the students' lack of English language proficiency, it is difficult to compensate for those variances in one school year. For students from oral traditions, for instance, time required in the sheltered linguistic environment of an ELL class may be extended.

The process of language acquisition is a complicated, developmental process that cannot be rushed. It is true in NH, as elsewhere, that "ELL students are expected to attain the same level of English language proficiency as their native English speaking counterparts. This means acquiring the essentials of English phonetics, phonology, morphology, syntax, semantics, and pragmatics (i.e., sounds, how sounds combine to form meaningful units and words, how words combine into grammatically correct phrases and sentences, what these sentences mean, and how we use language). These skills must then be applied in four different areas: listening, speaking, reading, and writing" (Mathedology, Aug. 2003). In NH, in order to satisfy legal assessment requirements, newly arrived NEP/LEP students are subject to the feat of acquiring the linguistic skills of their native English speaking third, fourth, and fifth grade peers. At the same time, NEP/LEP students must acquire all the cultural and academic background knowledge that a native-born American student has had a lifetime to acquire.

In FY 04, the Manchester School District was the educational home for 2,316 ELL students who collectively represented 76 languages primary languages. In addition to translation needs for traditional educational services, student support services are also provided in these different languages. The Manchester School District employs 69 English language learner

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employees, including 42 ELL teachers. The FY 04 cost for the Manchester ELL program, *including ELL children of immigrant families*, was approximately \$ 2.7 million, with approximately \$ 300,000. of federal funding received by the Manchester School District to support the education of ELL children.

Health:

Refugees present health issues and challenges that are representative of the country(ies) from which they originate. This can include tuberculosis infection, HIV, hepatitis B, syphilis, giardia, malaria, or a number of other communicable diseases. Upon resettling in a community, all refugees must be seen by the local health department. As a result refugees do not present a public health risk to others, but they do require considerable resources to follow up with necessary services by the Manchester Health Department and local health care providers. The estimated value of public health services provided to the refugee population is approximately \$ 200,000 per year. This cost is embedded in health programs such as communicable disease control, immunizations, tuberculosis control, and dental health services. Refugees have Medicaid for the first 6 months, after this refugee adults are usually uninsured. This adds to the growing burden of Manchester hospitals and health care providers to provide charity care to uninsured people.

Having Medicaid does not ensure access to needed health care. For example, at times refugees who need medical follow-up for public health reasons, e.g. chest x-rays for possible tuberculosis, cannot be seen for well over a month.

A system for mental health services for refugees is not clearly defined in Manchester. Although the trauma and experiences of refugee families result in a very high incidence of

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associated mental health issues, many refugees do not receive a psychological health exam as a warranted component of an exam to assess their overall health.

For a refugee to progress on to become a US citizen, a health record review and clearance by a US Civil Surgeon is needed. The Manchester Health Department began fulfilling this need recently since the absence of this service in Manchester was becoming a significant obstacle to the assimilation of refugees into American society. In the process, the lack of access to health care for many refugee families is often noted with children not being up to date on immunizations, and adults not having received the medical services basic to health.

Like many other low-income residents of Manchester who lack dental insurance or the financial means to pay for dental care, access to dental services is not readily available to refugees in need of emergency service. The case presented below highlights an example of the challenges faced by refugees and providers alike.

- A thirty year old Somali woman who was 7 months pregnant with her 5th child was experiencing dental pain and infection. Since current research findings indicate that poor oral health, including the dental infections that this woman was experiencing, may lead to preterm births, this patient was referred to a local oral surgeon for extraction. Since there is no program to pay for this service, it was fortunate that the once-a-year Manchester Dentists With A Heart Program was accepting patients at the time this issue arose and that the dental care needed was without cost. Extensive case management was required with the medical provider and oral surgery office to ensure the safety of the procedures to be provided.

A current Health Department project, the Manchester Sustainable Access Project, is examining models of medical care for refugees and other disparate populations. The intent of this work is to find efficient approaches to improving access to health care. For the refugee population, this could be a comprehensive clinic where translators and health care providers convene in one setting to maximize translation and medical resources that are available.

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City Welfare Support:

Given the large family size and the low average wages that refugee workers earn, it is likely that some refugee families will require City Welfare Department support on an episodic basis, if not on an on-going basis. City Welfare support is usually the last level of support that an individual in need can access. Usually, this is after all other avenues of public financial assistance have been tried or have been term limited.

In the last six months of fiscal year 2005, the City Welfare Department assisted 12 refugee families and 8 individuals at a total City cost of \$ 9,471.21. In the first 7 months of Fiscal Year 06, Welfare support to 27 refugee families totaled \$ 9,506.80 with an estimate that the total cost associated with City Welfare support for refugees will be around \$ 15,000. Since City Welfare support is used in cases of dire circumstances, the fact that refugees have had to access such support is an indication that the support system necessary to help families in great need is not present in the community.

Public Safety

As the City of Manchester has become more diversified, the Manchester Police Department has worked to keep pace with the changes. The department has reached out to the community through its Community Police Officers, School Resource Officers, and Crime Prevention programs; has several sub-stations, to include one at the Manchester Community Resource Center; has staff involved with many diversity committees, to include forming its own cultural diversity committee; and has held department wide cultural diversity training.

The biggest challenge facing law enforcement is communicating with the refugee population. Whether dealing with victims or suspects, interactions can be very limited and this effects the ability to provide services. In many cases, family and friends assist, and when the situation

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dictates interpreters are called in. The International Institute has been helpful in this area, as well as the Language Line. The Police Department continues to attempt to recruit a more diversified staff, but will never be able to keep pace with the language barrier. Only through its partnerships with community agencies will it be able to meet this challenge.

The future: Secondary resettlement

Several communities in the United States have experienced an influx of refugees due to secondary resettlement. Oftentimes, secondary resettlement is the result of refugee families wishing to move closer to family or to move to a community where jobs are available. Some secondary resettlement has occurred in Manchester, but it is hard to get a real sense of how many families this involves. Unlike the formal process of refugee resettlement where most communities receive a manageable number of refugees, influx from secondary resettlement is most likely to result in a crisis situation for a community. An example of a community that has been severely impacted by secondary resettlement is Lewiston, Maine where the population of Somali refugees grew to about 2,500 in a few years between 2001 and 2005. As a small city with less than 36,000 residents, such a rapid influx has had a profound impact on the community.

6/1/06

DEVINE
MILLIMET

ATTORNEYS AT LAW

By Hand Delivery

SUSAN V. DUPREY
603.695.8505
SDUPREY@DEVINEMILLIMET.COM

June 19, 2006

Office of the City Clerk
One City Hall
Manchester, NH 03101-2097

RE: GFI Gold Street, LLC - Petition for Rezoning

Dear Sir or Madam:

Enclosed please find a Petition for rezoning parcels Map 875, Lot 15 and Map 875, Lot 16. Also enclosed is our check in the amount \$300.00. Our office represents GFI, which requests this rezoning.

Please feel free to contact me should you have any questions regarding this matter or if additional information is required. Thank you.

Very truly yours,



Susan V. Duprey

SVD:ml

Enclosures

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**STATE OF NEW HAMPSHIRE
CITY OF MANCHESTER**

GFI GOLD STREET, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, GFI Gold Street, LLC, by and through its attorneys, Devine, Millimet & Branch, Professional Association, and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to change the zone of and amend the Zoning Map regarding 2 parcels of land, one of which is located at 725 Gold Street and the other of which is near Gold Street, County of Hillsborough, City of Manchester and identified as Map 875 Lot 15 and Map 875 Lot 16 in the tax records for the City of Manchester. In support thereof, Petitioner states as follows:

1. GFI Gold Street, LLC is the owner of record of that parcel of land located at 725 Street and identified as Map 875 Lot 15 in the tax records of the City of Manchester (Property 1). Property 1 is approximately 15.178 acres in size and was formerly the site of Associated Grocers which has since relocated. Property 1 is currently zoned Industrial.

2. Ashkars Children's Limited Liability Company and John N. Ashkars own a parcel near Gold Street which has no building situate on it and abuts Property 1 which land is identified as Map 875 Lot 16 in the tax records of the City of Manchester ("Property 2"). Property 2 is approximately 36,864 square feet in size and is also zoned Industrial. Property 2 is subject to a purchase agreement in favor of GFI Gold Street, LLC.

3. The Petitioner, GFI Gold Street, LLC, for itself as owner of Property 1 and as agent for the owners of Property 2, seeks to change the zoning classification of Property 1 and Property 2 from Industrial to B-2 in order to locate a retailer on Property 1 and Property 2.

4. A copy of the tax map showing Property 1 and Property 2 as situated in the Industrial Zone and the zoning designations for the surrounding properties is attached is Exhibit A.

5. It is believed that the change of zone will have little impact on the surrounding area in that much of the surrounding area was either zoned B-2, has been rezoned from

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Industrial to B-2 or variances have been granted to allow uses permitted in the B-2 zone.

Changing the zone to B-2 will reduce heavy truck traffic in the area as Property 1 is now used as a 24 hour per day trucking terminal. Plans are being prepared to help address and to generally improve conditions on Gold Street.

6. This proposed change will have a substantial positive tax revenue impact for the City of Manchester and will have no effect on the environment as Property 1 is already developed for an industrial use. There will be no impact on municipal services or facilities.

7. The names, addresses, tax map numbers and lot numbers of all abutting property owners and all properties on the opposite side of the street from Property 1 and Property 2 are attached as Exhibit B.

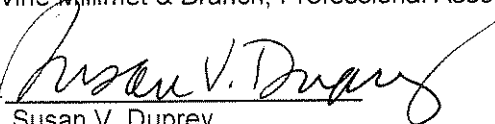
8. A metes and bounds description of Property 1 and Property 2 is attached as Exhibit C.

9. The Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the zone for Property 1 and Property 2 from Industrial to B-2 and to amend the Zoning Map to reflect this change.

Respectfully submitted,

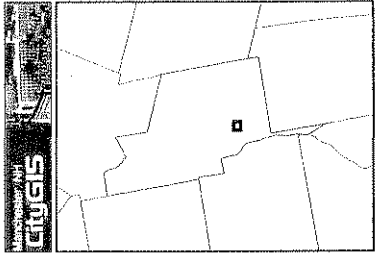
GFI Gold Street, LLC
By its Attorneys,
Devine Millimet & Branch, Professional Association

By

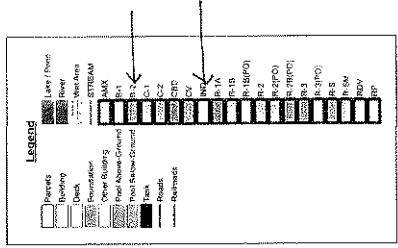

Susan V. Duprey
111 Amherst Street
Manchester, NH 03101
(603) 695-8505

Dated: June 19, 2006

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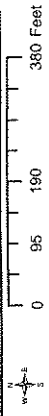


Area Map Showing Extent Of Map At Left



DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, NH (the "City"). This map is not a survey-quality map. All boundaries, easements, areas, measurements, rights-of-way, etc. appearing on this map should only be considered approximate and as such should not be used for legal purposes. The City of Manchester does not warrant the accuracy, completeness, reliability, or suitability of this information for any particular use. The City assumes no liability whatsoever associated with the use or misuse of this information. The official public records from which this information was compiled are kept in the offices of various City, County, and State government agencies and departments, and are available for inspection during regular business hours. By using this map, you agree to these terms and conditions.



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EXHIBIT B**GFI GOLD STREET REZONING****Abutting Parcels to Lots 875-15 and 875-16**

<i>Parcel ID</i>	<i>Parcel Location</i>	<i>Owner</i>	<i>Owner Address</i>	<i>Owner City</i>	<i>Book/Page</i>
438-1	610 Gold St.	610 Gold Street LLC	PO Box 74	Brooklin, ME 04616	7544/398
438-3	660 Gold St.	W & E Realty LLC	% Team Nissan Inc.	Manchester, NH 03103	7133/1710
438-4A	201 John E Devine Dr.	Shop'N Save-MASS	PO Box 1000 MS6000	Portland, ME 04104-5005	5251/260
438-5	782 Gold St.	Group Property Holdings Corp.	782 Gold St.	Manchester NH 03103	7670/2165
438-5A	766 Gold St.	Moose Mountain Realty Trust	% Schiltkamp	Etna, NH 03750	6259/1748
438-5C	778 Gold St.	Ribakoff, Charles K. II TEE	PO Box 912	Worcester, MA 01613	5977/1224
873-14	565 Gold St.	Loiselle Family Ltd. Prtnrshp	PO Box 4787	Manchester, NH 03108	5581/407
873-14A	561 Gold St.	Thibeault, Brain TEE	% Joseph Equipment	Manchester, NH 03103	5845/1581
873-15A	159 Frontage Rd.	Brodsky, Howard B.	PO Box 5236	Manchester, NH 03108	5158/363
874-1C	2 Keller St.	Giraffe Properties LLC	c/o Toys R Us One Geoffrey Way	Wayne NJ 07470	7522/0278
875-14	835 Gold St.	835 Gold Street Realty LLC	835 Gold St.	Manchester, NH 03103	7341/2227
875-15	725 Gold St.	GFI Gold Street LLC	133 Pearl St., Suite 400	Boston, MA 02110	7337/0522
875-16	Gold Street	Ashkar, John N.	15 Fairmount Dr.	Danbury, CT 06811-4412	5514/168
875-17A	150 Kaye St.	Proctor, Jeffery C.	540 Elgin Ave.	Manchester, NH 03104	5567/554
875-4A	790 Gold St.	Northern New England Engine Corp.	790 Gold St.	Manchester, NH 03103-4006	5817/0813

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873-14B	Gold St.	610 Gold Street LLC	PO Box 74	Brooklin, ME 04616	7544/398
873-15	143 Frontage Rd.	Ryder Truck Rental Inc.	PO Box 025719 c/o Property Tax Dept.	Miami, FL 33102-5719	Not Listed
873-16	Manchester Beltline	State of NH	Manchester Beltline	Manchester, NH 03101	Not Listed

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Exhibit C

Legal Description for Lot 875-15, located at 725 Gold Street, Manchester:

A certain tract or parcel of land with the buildings thereon, situate in Manchester, Hillsborough County, State of New Hampshire, being Lot 875-15 on Plan # _____, entitled "ALTA/ACSM Land Title Survey, 725 Gold Street in Manchester, New Hampshire (Hillsborough County), dated December 22, 2005, prepared by BSC Group, more particularly bounded and described as follows:

Beginning at a point on the northeasterly corner of the Lot on the southerly line of Gold Street; thence

1. South $9^{\circ} 17' 43''$ East, a distance of 80.15 feet to a concrete bound found; thence
2. South $09^{\circ} 76' 53''$ East, a distance of 488.15 feet by the westerly side of Lot 875-14; to an iron pipe at the southeasterly corner of the lot; thence
3. South $64^{\circ} 53' 52''$ West, a distance of 310.73 feet by the northerly line of the Interstate Highway 293 to an iron pipe; thence
4. South $82^{\circ} 28' 33''$ West, a distance of 517.33 feet by the northerly line of Lot 875-16 to an iron pipe at the southeasterly corner of the premises; thence
5. North $32^{\circ} 51' 25''$ West, a distance of 21.90 feet to an iron pipe; thence
6. North $08^{\circ} 01' 16''$ West, a distance of 19.62 feet to an iron pipe; thence
7. North $32^{\circ} 51' 25''$ West, a distance of 714.62 feet by the easterly side of the rail road tracks to an iron pipe at the northwest corner of the premises on the southerly line of Gold Street; thence
8. North $80^{\circ} 33' 28''$ East, a distance of 305.63 feet by the southerly line of Gold Street to an iron pipe; thence
9. North $80^{\circ} 16' 28''$ East, a distance of 586.18 feet by the southerly line of Gold Street to an iron pipe; thence
10. Curving in a southeasterly direction with a radius of 399.80 feet, along the southerly line of Gold Street, a distance of 230.44 feet to the point of beginning.

Containing 15.178 Acres, more or less.

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Legal Description for Lot 875-16, located on Gold Street, Manchester:

A certain Tract or parcel of land, situated in Manchester, bounded and described as follows:

Beginning at a point on the southwest corner of the premises north of the Interstate Highway 293, thence

1. North $32^{\circ} 51' 25''$ West along said Manchester-Lawrence Railroad for a distance of 157.68 feet, more or less to an iron post set at land of Associated Grocers; thence
2. South $82^{\circ} 28'$ East for a distance of 517.33 feet, more or less to the interstate Highway 293; thence
3. South $64^{\circ} 53' 52''$ West for a distance of 471.90, along said Interstate Highway 293 to the point of beginning.

RECEIVED
MANCHESTER CITY CLERK

Ashkar Children's Trust Limited Liability Company
Mrs. Georgette Ashkar, Managing Member
8160 East Quincy Avenue
Cherry Hills Village, CO 80111
(303) 796-8128

Mr. John Ashkar
29 Fairmount Drive
Danbury, CT 06811
(203) 792-4963
JUN 20 12:21

June 19, 2006

The Board of Mayor and Aldermen
of the City of Manchester
One City Hall
Manchester, NH 03101-2097

Re: Authorization to Pursue Rezoning

To Whom It May Concern:

We, the undersigned, being the owners of the real property sometimes referred to as Map 875, Lot 16, located near Gold Street in Manchester, New Hampshire, hereby grant our authority to GFI Gold Street, LLC, to take any and all actions required or deemed necessary to re-zone the property from "Industrial" to "B 2".

Thank you for your attention to this matter, and if you have any questions please contact our counsel, Susan Perkins of Perkins Ruschena, LLC, at (303) 779-8100.

Sincerely,

Ashkar Children's Trust Limited Liability
Company

Georgette Ashkar manager
By: Georgette Ashkar, Managing Member

John Ashkar
By: John Ashkar



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Gold Street*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by the owner of one property and agent for a second property on Gold Street (including two lots: Lot 875-15 and 875-16). The subject parcels are located on the south side of Gold Street east of the former Lawrence Rail Branch. The first property is 15.2 acres currently containing the Associated Grocers Building and the second is .85 acres in size that is vacant. The subject properties are currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to General Business (*B-2*).

Presently, while the parcels are adjacent to a B-2 on one side, the rezoning action would create one parcel that would be zoned IND and surrounded by B-2. As this could be considered spot zoning, we would recommend that the parcel at 835 Gold Street (Lot 875-14; 3.42 acres) also be considered by the Board for rezoning from IND to B-2. In the 1993 Master Plan for the City of Manchester, this area was identified as Industrial land use although the plan also recognized that extension of the business zone into areas of industrial zone was likely and that certain precautions should be taken. The key precaution from the Master Plan as it relates to this rezoning request states "...the proposed district should be evaluated to insure that possible projects will not encourage additional traffic impacts upon residential areas..." The applicants, working with the City, have devised a traffic calming plan to mitigate impacts on Gold Street and Sewall Street which may be considered by the Board of Mayor and Aldermen.

From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

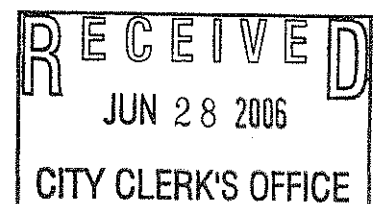
I will be available for any questions that the Board may have.

Sincerely,



Robert S. MacKenzie, AICP
Planning Director

C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov



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**Short Title
Rezoning Petition
Gold Street**

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, and 875-16.”

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AGREEMENT

AGREEMENT made this _____ day of _____, 2006, by and between the City of Manchester, a New Hampshire municipality with a principal address at City Hall, One City Hall Plaza, Manchester, New Hampshire, 03101 (hereafter "City") and the Roman Catholic Bishop of Manchester, a corporation sole d/b/a St. Augustine - St. Anne Parish, a New Hampshire not-for-profit corporation established by statute, with a principal address at 153 Ash Street, Post Office Box 310, Manchester, New Hampshire 03105-0310 (hereinafter "St. Augustine - St. Anne" or "Church").

WHEREAS, St. Augustine - St. Anne owns real estate known as Tax Map 691, Lot 143-1, being a portion of the St. Augustin Cemetery property which has been subdivided from the developed and maintained cemetery containing approximately 11.6108 acres, more or less; and

WHEREAS, the City wishes to relocate a portion of Gold Street on land of St. Augustine - St. Anne to facilitate traffic and manage the property surrounding it and allow for development in the area appropriately and St. Augustine-St. Anne is willing to convey the portion of its property for such relocation without further monetary consideration; and

WHEREAS, GFI Gold Street, LLC ("Developer") has agreed to cause to be paid a portion of the costs of the installation of the road and other costs associated with accomplishing the purposes of this Agreement and the relocation of the road and the City has agreed to pay the remainder of such costs pursuant to an Agreement between the Developer and the City (GFI Agreement); and

WHEREAS, the parties have agreed to certain other conditions and actions prior to conveyance of the property by St. Augustine - St. Anne for the purpose of the relocation of the road;

NOW THEREFORE, the parties agree as follows:

1. **Condition to Implementation.** The parties agree that upon approval by the appropriate regulatory bodies and/or Board of Mayor and Aldermen of the City of Manchester of the zoning amendments, the issuance of permits and approvals by the City and others, and/or funding commitments required in this agreement and the GFI Agreement, the development plan for relocation of Gold Street as prepared by the City and approved by the parties will be submitted for approval with all the conditions set forth in this Agreement. Upon approval of all conditions required by this Agreement, St. Augustine - St. Anne will convey to the City land shown as the "Relocation of a Portion of Gold Street" on the plan and allow access to its property for work to establish and construct such as a city street conforming to all of the requirements of the City of Manchester.

2. **Rezoning.** Prior to the conveyance, the City will have rezoned a portion of St. Augustine - St. Anne's property north and west of the proposed relocated street to zoning district R-3 from zoning district R-1-B. That portion of the land of St. Augustine - St. Anne abutting property owners on the present Gold Street and south of the relocated portion of Gold Street shall

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remain zoned R-1-B and shall be available for subdivision into single family lots and all parties to this agreement shall support such subdivision. Any street configuration proposed will include curb cuts for driveways to lots to be developed for single family homes in said area on the south side of said street.

3. **Conditions Imposed on Property.** The parties agree and recognize that during the subdivision process and as a condition of its approval by the Manchester Planning Board of the subdivision of the cemetery property, conditions were imposed on any activity to take place on any portion of the subdivided land. The City agrees to be bound by and follow the provisions of these conditions, at their expense.

4. **Timing.** The parties shall use their best efforts such that all approvals under this Agreement shall be accomplished by October 31, 2006.

5. **Payment for Road Expenses.** The parties acknowledge the GFI Agreement pursuant to which the Developer agrees to cause to be delivered to the City certain deeds, easements and payments to facilitate the reconstruction and redevelopment of Gold Street. The City will pay the remainder of the expenses of construction, relocation and development expenses for the implementation of the road relocation plan. The City will provide for the inclusion of utilities or utility conduits in the construction of roads on the property. Under no circumstances shall St. Augustine - St. Anne or the Church be responsible for payment of any expenses hereunder other than as may be incurred by it in marketing of its remaining property.

6. **Marketing of Additional Property by Church or by St. Augustine - St. Anne.** The parties recognize that St. Augustine - St. Anne and/or the Church shall be entitled to market its property other than that for the land under the roadway concurrently with the activities being undertaken under this Agreement. In the event of sale prior to completion of the matters set forth in this agreement, any purchaser shall be substituted for and assigned the rights of St. Augustine - St. Anne and the Church under this Agreement. As part of the marketing process, the City agrees to cooperate with any proposed purchaser as to placement of curb cuts, location of roads, proposed subdivision, etc. so that any road construction and planning can be coordinated with infrastructure planning for development by any subsequent owner/developer of the property.

7. **Appointment as Agent.** To the extent required, St. Augustine - St. Anne and the Church agree to appoint the City as its Agent for seeking any approvals, subdivision, rezoning or the like and agree to cooperate in any such activity. Notwithstanding this appointment, St. Augustine - St. Anne and the Church reserve the right to have their representatives, attorneys or agents appear at or participate in such proceedings, in their sole discretion. Any representation by the City as agent shall be at the City's expense. St. Augustine - St. Anne and the Church shall be responsible for the expenses of any additional participation by its employees, agents or attorneys.

8. **Approval of Plans.** This Agreement is based on a conceptual plan prepared by BSC Group, 384 Washington Street, Norwell, Massachusetts as it may be revised from time to time. Prior to any submission for approval and action, the final plan to be submitted and used for construction shall be reviewed by and approved by all of the parties hereto.

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9. **Indemnification and Hold Harmless.** The City agrees to indemnify and hold the Church and St. Augustine - St. Anne harmless on account of any claims arising from the activities of seeking approvals, planning or constructing the street or any other claims arising from the activities contemplated by this Agreement including payment of attorneys fees and judgments on account thereof.

10. **Merger and Choice of Law.** This is the sole agreement among the parties as to the relocation of Gold Street and into it are merged all of their discussions concerning the subject matter of this Agreement. This is a New Hampshire agreement and may be enforced in the courts of Hillsborough County, New Hampshire to the jurisdiction of which all parties submit.

IN WITNESS WHEREOF, the parties have set their hands and seals, this _____ day of _____, 2006.

CITY OF MANCHESTER, NEW HAMPSHIRE
a New Hampshire Municipal Corporation

Witness

By: _____
Frank Guinta, Mayor, Duly Authorized

ROMAN CATHOLIC BISHOP OF MANCHESTER,
a Corporation Sole,
d/b/a PARISH OF ST. AUGUSTINE - ST. ANNE

Witness

By: _____
Most Rev. John B. McCormack, Bishop

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me on this _____ day of _____, 2006 by Frank Guinta, as Mayor of City of Manchester, New Hampshire.

Notary Public/ Justice of the Peace
My Commission Expires: _____

STATE OF NEW HAMPSHIRE

6

COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me on this _____ day of _____, 2006 by Most Rev. John B. McCormack, Roman Catholic Bishop of Manchester, on behalf of the Roman Catholic Bishop of Manchester, a corporation sole and on behalf of the Parish of St. Augustine - St. Anne.

Notary Public/ Justice of the Peace

My Commission Expires: _____

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AGREEMENT

AGREEMENT made this _____ day of _____, 2006, by and between the City of Manchester, a New Hampshire municipality with a principal address at City Hall, One City Hall Plaza, Manchester, New Hampshire, 03101 (hereafter "City and GFI Gold Street, LLC, a Massachusetts limited liability company with a principal place of business at 133 Pearl Street, Suite 400, Boston, Massachusetts 02110 (hereinafter "Developer").

WHEREAS, Developer owns real estate known as Tax Map 875 Lot 15 and has that property known as Tax Map 875, Lot 16 in Manchester, NH, under purchase agreement (the "Property"); and

WHEREAS, Developer is seeking to rezone the Property from Industrial to B-2 to allow for the relocation of Home Depot onto the Property; and

WHEREAS, the parties wish to agree on the redevelopment of Gold Street in Manchester, NH, including causing a portion of it to be relocated on land of St. Augustine - St. Anne to facilitate traffic and manage the property surrounding it and allow for development in the area appropriately; and

WHEREAS, Developer has agreed to cause a portion of the costs of the redevelopment and installation of the Gold Street and other costs associated with accomplishing the purposes of this Agreement to be paid and the City has agreed to pay the remainder of such costs; and

WHEREAS, the parties have agreed to certain other conditions and actions prior to payment of said funds;

NOW THEREFORE, the parties agree as follows:

1. **Payment and Delivery of Deeds and Easements for Redevelopment of Gold Street.** In order to facilitate the reconstruction and redevelopment of Gold Street, Developer agrees to cause to be delivered to the City warranty deeds for the following parcels of land; 233 Gold Street (Tax Map 641, Lot 11), 249 Gold Street (Tax Map 641, Lot 10), 261 Gold Street (Tax Map 641, Lot 9), 289 Gold Street (Tax Map 641, Lot 8), 335 Gold Street (Tax Map 642, Lot 13), 374 Gold Street (Tax Map 642, Lot 5), 390 Gold Street (Tax Map 642, Lot 6), as well as easements over the appropriate portions of 375 Gold Street, 124 Sewall Street, 132 Sewall Street (Tax Map 642, Lot 16), and 137 Sewall Street (Tax Map 642, Lot 11), and a construction and grading easement over a portion of 334 Gold Street. Developer also agrees to pay One Million, Two Hundred Sixty One Thousand, Five Hundred Dollars (\$1,261,500.00) of the expenses for the development and relocation of the road as invoiced to Developer by the City. The City will pay the remainder of such expenses of engineering, plans, construction, relocation and development expenses for the implementation of the road relocation plan. The City will provide for the inclusion of utilities or utility conduits in the construction of the road. The Developer shall not be responsible in other way aside from that set forth in the paragraph for the relocation and redevelopment of Gold Street.

b

2. **Conditions Precedent.** Prior to the payment and delivery of deeds and easements required of Developer by Paragraph 1 above, and as conditions precedent to said obligations the following shall have occurred:

a. the City will have rezoned the Property from the Industrial zone to zoning district B-2.

b. the City will have issued all approvals and permits for necessary for the construction and use of a new Home Depot on the Property, including but not limited to site plan approval, any necessary variances and the issuance of all necessary building permits, all subject only to those conditions satisfactory to Home Depot and Developer and all relevant appeal periods relating to all said permits and approvals shall have expired without any appeal having been instituted.

c. Home Depot shall have acquired all other permits and approvals necessary for the construction and utilization of the Property for a new Home Depot, all subject only to those conditions satisfactory to Home Depot and all relevant appeal periods relating to all said permits and approvals shall have expired without any appeal having been instituted.

The conditions precedent listed above are for the benefit of Developer and may be waived by Developer in its sole discretion.

4. **Timing.** All parties shall use their best efforts so that all rezoning and issuance of permits and approvals and permits called for pursuant to Paragraph 3 above is accomplished by October 31, 2006.

5. **Approval of Plans.** This Agreement is based in part on a conceptual plan prepared by BSC Group, 384 Washington Street, Norwell, Massachusetts, for the reconstruction and redevelopment of Gold Street, as it may be revised from time to time. Prior to any submission for approval and action, the final plan to be submitted and used for construction shall be reviewed by and approved by all of the parties hereto.

6. **Merger and Choice of Law.** This is the sole agreement among the parties as to the relocation of Gold Street and into it are merged all of their discussions concerning the subject matter of this Agreement. This is a New Hampshire agreement and may be enforced in the courts of Hillsborough County, New Hampshire to the jurisdiction of which all parties submit.

IN WITNESS WHEREOF, the parties have set their hands and seals, this _____ day of _____, 2006.

CITY OF MANCHESTER, NEW HAMPSHIRE
a New Hampshire Municipal Corporation

By: _____
Frank Guinta, Mayor, Duly Authorized

Witness

6

GFI Gold Street, LLC, DEVELOPER

Witness

By: _____
Steven Goodman, its _____
Duly Authorized

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me on this _____ day of _____,
2006 by Frank Guinta, as Mayor of City of Manchester, New Hampshire.

Notary Public/ Justice of the Peace
My Commission Expires: _____

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me on this _____ day of _____,
2006 by Steven Goodman, as _____ of GFI Gold Street, LLC.

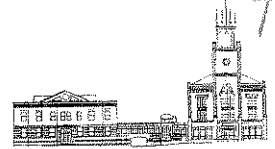
Notary Public/ Justice of the Peace
My Commission Expires: _____

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CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

Memo To: Board of Mayor and Aldermen

From: Carol A. Johnson
Deputy City Clerk

Date: June 20, 2006

Re: Minutes of Meetings

Enclosed are minutes of meetings being submitted for consideration on the July 11th agenda of the Board as follows:

March 7, 2006
March 21, 2006 (two meetings)
March 29, 2006
April 4, 2006 (two meetings)
April 17, 2006
April 18, 2006 (two meetings)
May 2, 2006 (two meetings)
May 3, 2006

Should you have any questions, please do not hesitate to contact me.



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk


Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

MEMORANDUM

To: Board of Aldermen

From:  Leo R. Bernier
City Clerk

Date: May 31, 2006

Re: BMA Poll (Setting of Polling Hours on September 12, 2006)

The Secretary of State's Office recently submitted documentation requiring mailing to ward officials to post by June 2, 2006 regarding the State Primary Election to be held on September 12, 2006. Due to the lateness in receiving this material we are requesting that the Board of Mayor and Aldermen set polling hours for this election from 6 AM until 7 PM.

If there is any Board member in opposition, please contact this office no later than noon on Thursday, June 1, 2006 otherwise your vote shall be recorded in the affirmative.

pc: Mayor Guinta



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission


Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

- MEMORANDUM -

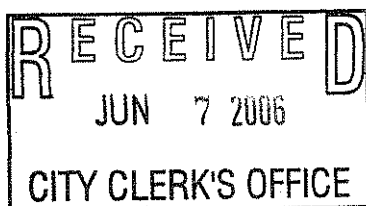
TO: Paula LeBlond – Kang
2nd Deputy City Clerk

FROM: Jay W. Davini
Public Utilities Coordinator 

DATE: June 7, 2006

RE: Sidewalk Petitions – 50/50 Program FY2007

Please submit all the Sidewalk Improvement Petitions you are currently holding to the Board of Mayor and Aldermen for approval. These sidewalks will be constructed contingent upon the availability of City funds.



CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

June 19, 2006

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one replacement pole, 77/22, located on Ash Street in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1112
Dated: June 2, 2006

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Erin Normand, Plant Records/Licensing

VERIZON NEW ENGLAND, INC.

BY: 
Glenn Mills, Right of Way Department

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

June 19, 2006

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
VERIZON NEW ENGLAND, INC.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one new pole, 604/1Y, located on Faltin Dr in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND".

Plan No. 11-1113

Dated: June 5, 2006

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: Erin Normand
Erin Normand, Plant Records/Licensing

VERIZON NEW ENGLAND, INC.

BY: Glenn Mills
Glenn Mills, Right of Way Department

9AAYZB
POLE LOCATION
FORM NO. 1

May 31, 2006

In The Board of Mayor and Alderman
of the City of Manchester, New Hampshire:

**VERIZON NEW ENGLAND INC
&
PUBLIC SERVICE OF NEW HAMPSHIRE**

requests a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across and under the following public ways:

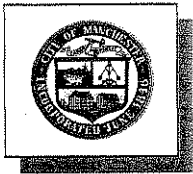
The placing and licensing of 1 new pole (498/10) and 1 replacement pole (498/11) on Bowman Street, in the City of Manchester, New Hampshire, as per attached.

cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with such strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked Verizon New England Inc. and Public Service of New Hampshire.

No: 9AAYZB
Dated: May 22, 2006
Verizon New England, Inc.

By:
Right-of-Way Department

By:
Right-of-Way Department
Public Service of New Hampshire



MANCHESTER HEALTH DEPARTMENT MONTHLY REPORT SUMMARY, JUNE 2006

Arbovirus Surveillance & Control Program

PROGRAM LISTING:

Arbovirus
Surveillance &
Control

Chronic Disease
Prevention

Communicable
Disease Control

Community
Epidemiology

Dental Health

Environmental
Planning and
Pollution Control

Food Protection

HIV Prevention

Homeless Health
Care Project

Immunizations

Institutional
Inspections

Lead Poisoning
Prevention

Public Health
Investigations

Public Health
Preparedness

Refugee Health

School Health

Sexually
Transmitted
Disease Control

Tuberculosis
Control

Water Quality

Youth Health
Promotion

Summary of Program: The term "arbovirus" is short for arthropod-borne virus, and is used to describe diseases that may be transmitted to humans by the bite of an arthropod. The three arboviruses routinely monitored by the Health Department are West Nile Virus (WNV) and Eastern Equine Encephalitis (EEE) which are transmitted by mosquitoes, and Lyme Disease which is transmitted by the deer tick.

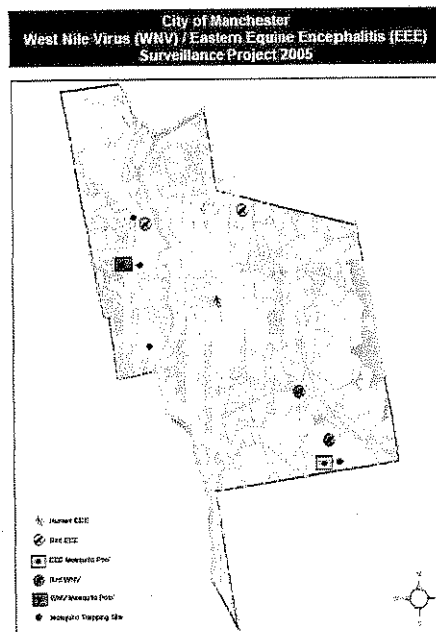
WNV & EEE Surveillance: There are three components to Manchester's WNV/EEE surveillance program including bird surveillance, mosquito surveillance, and human surveillance. Bird surveillance is used to learn whether dead birds were infected with WNV or EEE. The presence of WNV or EEE infected birds in a community is used as an indicator as to the presence of disease, but does not represent an immediate human risk. Mosquito surveillance is conducted across the City from June through mid-October to identifying mosquitoes that may be carrying WNV or EEE. The presence of virus-positive mosquitoes indicates that the vector for the spread of these diseases is present in a community, and that the risk to humans has substantially increased. Finally, the Health Department works with area health care providers to identify patients that may be ill due to infection with WNV, EEE and Lyme Disease. If confirmed, these patients are followed up to help understand where and how they may have become infected.

WNV & EEE Control: The key to preventing mosquitoes from reaching a life stage by where they can bite and transmit disease is to limit their opportunities to breed. In 2001 the City enacted an Ordinance that requires residents to maintain their property in such a manner that prevents the breeding of mosquitoes. Despite the best efforts at preventing mosquito breeding, there are times when the control of adult mosquitoes through spraying becomes warranted. The decision to spray is made when there is a clear public health threat to the community. The Health Department has a Special Permit from the NH Department of Agriculture that allows for spraying to control mosquitoes during a public health emergency.

Public Education: The most important element of the arbovirus program is educating the public on the prevention of mosquito breeding, as well as the personal protective measures one can take to prevent mosquito and tick bites. The Department works with the local media, other city departments, and local organizations to help get this important information out to the public.

Summary of Activities: During the previous year, the MHD:

- Received over 200 dead bird calls from mid-May through Mid-July
- Collected 27 birds, submitted 9 for testing, 2 tested positive for WNV, 2 tested positive for EEE
- Trapped mosquitoes nightly in 5 locations around the City from July-October
- Sorted and submitted 9,170 mosquitoes for testing
- Identified WNV positive mosquitoes trapped on 9/6/05
- Identified EEE positive mosquitoes trapped 9/14/05
- Investigated a human cases of EEE in Manchester, as well as monitored cases in Goffstown, Londonderry & Hooksett
- Investigated 17 cases of Lyme Disease in Manchester Residents
- Facilitated targeted spraying to control adult mosquitoes on City-owned property (ball fields and parks) on September 1, 2005 and September 22, 2005
- Provided information on WNV, EEE and Lyme Disease to the public through a hotline, fact sheets, public postings, City's website, community presentations and via the media



Program Notes and Trends: Since 2000, when West Nile Virus was first identified in Manchester, the Health Department has been actively engaged in arbovirus surveillance and control. The purpose of an arbovirus surveillance and control program is to minimize the risk to Manchester's residents of being exposed to and infected with mosquito-borne diseases. As we continue to learn more about the epidemiology of mosquito-borne diseases in New Hampshire, good surveillance, control and public education will be needed on an ongoing basis protect the public health in Manchester.

Community Activities

The Great Flood of May, 2006

The flooding that occurred in May proved to be a unique and challenging time for the Division. In response to the flooding, the Division mailed information on post-flood home recovery to over 500 households, walked flood-damaged neighborhoods, visiting over 250 homes, provided consultation to over 10 key businesses in the community, and answered dozens of phone calls from residents seeking information. Environmental Health staff manned a hotline throughout the weekend of May 20-21, and thanks to an agreement between Manchester and Goffstown, staff were able to go the town of Goffstown and provide consultative services to some of the hardest-hit areas.

The Manchester Health Department experienced heavy rain related flooding in its community health and clinical areas. This resulted in the relocation of 14 staff to temporary work-stations in the City conference space on the first floor. The flooding also impacted the Office of Youth Services, which also relocated to conference space. It is anticipated that all staff will be able to return to permanent quarters by the end of June.

Refugee Welcome Center & School Registration

For the third year, the Manchester Health Department will collaborate with the Manchester School District to host the Refugee Welcome Center during the last week in August. The Welcome Center will provide refugee, immigrant, and non-English speaking families the opportunity to register their children for school, obtain bus information, take English proficiency testing, and review health history forms and vaccine records in one central location.

Disease Notes

Notifiable Diseases

For the month of May 24 reportable communicable diseases were investigated (excluding TB, STDs/ HIV, and other outbreak investigations). Disease reports included varicella, VRE, pertussis, hepatitis B, shiga-toxin (presumptive E.coli O157:H7), malaria, campylobacter, lyme, and giardia. Please note that this includes suspect cases, not all of which were probable or confirmed after subsequent investigation work. The total number of reported diseases (excluding TB, STDs/HIV, and other specific cases/outbreak investigations) since July 1, 2005 investigated by the Public Health Nurses is 246. The 3.5 FTE's of Community Health Nurses followed 126 clients with TB infection in May, yielding about 36 clients being followed per CHN. Of these 67 (53%) were refugees or asylees and 22 met the NH State criteria for "high risk." There were 2 cases of active TB followed by DOT with the nurses in May. To date, the TB Program Coordinator has visited 9 of 10 long-term care facilities and one day care facility to review their procedures for TB control and prevention. Also an in-service lecture on TB was given to persons at St. Teresa's Health Care Center on May 25.

FOR MORE INFORMATION

Visit our website at <http://www.manchesternh.gov/CityGov/HLT/Home.html>, or call 624-6466



AT A GLANCE FACT SHEET – ISSUE II

New Hampshire

**SENIORS
COUNT**

PARTNERS TO CHANGE THE FACE OF AGING



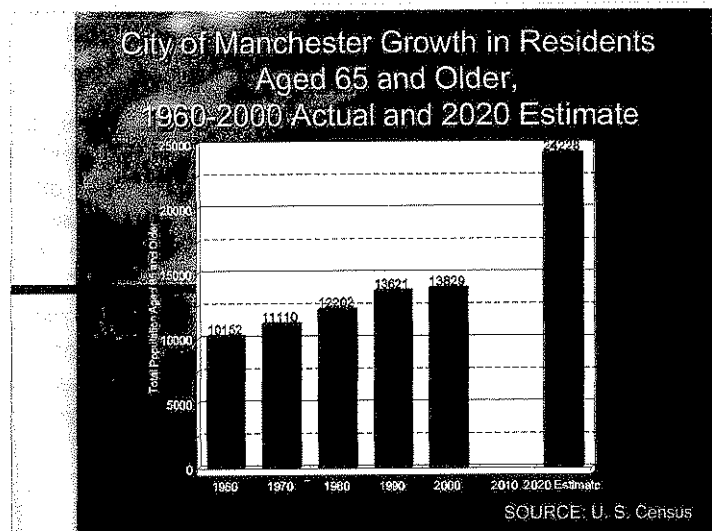
Imagine a City ...

**WHERE THERE IS FULL INVOLVEMENT OF ALL CITIZENS
AND WHERE THE NATURAL WAY OF LIFE PROMOTES THE MAXIMIZATION
OF INDEPENDENCE AND QUALITY OF LIFE OF FRAIL SENIORS.**

The Aging of Manchester is Part of a National Longevity Revolution

In 2011, the first wave of America's 76 million baby boomers will turn 65 and trigger dramatic shifts in all aspects of American life (Novelli, 2005). For Manchester, this "community within a community" represented nearly 13% of the total population in 2000. In fact, the City of Manchester ranks 58th in the percent for populations 65 years and older among the nation's 239 cities with 100,000 residents or more. With an ongoing low birth rate, advancements in technology, drug therapies and chronic disease management, it is anticipated that the number of the community's residents aged 65 and older will nearly double by the year 2020, to represent over 20% of the total constituency. For Manchester, this would result in a population growth of an estimated 24,228 residents aged 65 and older (U.S. Census, 2000).

The most rapidly growing segment of the general population is the group age 85 and older (IOM, 1997). By 2040, Americans aged 80 and over are projected to outnumber all American children under the age of 5 (Peterson, 1999). Relatedly, the impact of the caregiver role will become increasingly recognized as more and more children are thrust into having to care for their aging parents (Shulman & Sperry, 1992). For the frail elderly without family ties, this longevity revolution will challenge community resources beyond their current capacity to reach those with much needed supports.



Defining "Clinical Frailty" and Opportunities for Prevention

While there is much debate nationally as to what makes an individual "frail", a recent study defined and validated "clinical frailty" among an aging population as having three of the following five attributes: unintentional weight loss, muscle weakness, slow walking speed, exhaustion, and low physical activity. The Johns Hopkins University researchers responsible for the definition showed that even when individuals with acute and chronic medical conditions were excluded, about 7% of the population older than 65 years of age and 20% of the population older than age 80 years were considered "frail" (Wilson, 2004). In Manchester, this would amount to an assumed 968 and 834

**FOR FURTHER INFORMATION REGARDING SOURCES USED IN THIS FACT SHEET,
PLEASE CONTACT THE CITY OF MANCHESTER DEPARTMENT OF HEALTH
1528 ELM STREET MANCHESTER, NEW HAMPSHIRE 03101 PHONE (603) 624-6466**

E

"clinically frail" residents, respectively. Frailty was also found to be associated with older age, being female, being African American, having less education and lower income, and having poorer health with higher rates of co-morbid chronic diseases. During the study period, those who were frail at baseline had a mortality rate six fold higher (18%) than their counterparts in better health (Fried, 2001).

Over 30 years of research has led to the understanding that aging itself is not the cause of disease, disability or frailty. Rather, disease and disabling processes, influenced by age-related changes in the body and by unhealthy choices and sedentary lifestyles, are the most important factors compromising the quality of life for older people. This fundamental shift in thinking was reinforced most recently through findings from the National Institute on Aging-supported National Long Term Care Survey, which documented a dramatic decline in both physical and cognitive disability among older Americans from the 1980s through the mid-1990s, even among people age 85 and older. These conclusions, along with evidence from a number of clinical trials and studies testing specific interventions, suggest more strongly than ever that disease and disability are not inevitable consequences of aging (Hodes, 2003).

Creating a Livable Community and a Value on Aging in Place

In a study recently released by the American Association of Retired Persons (AARP) entitled, *A Report to the Nation on Livable Communities: Creating Environments for Successful Aging*, livable communities are defined as having "affordable and appropriate housing, supportive community features and services, and adequate mobility options, which together facilitate personal independence and the engagement of residents in civic and social life" (LeaMond, 2005). The AARP also reports that over 90 percent of senior citizens want to age in their homes rather than in the homes of family members or in retirement facilities (Henningan, 2006). This community value makes strong economic sense as well. Providing home and community services that enable older adults to age in place has proven to be the most cost-effective model for aging (McNulty, 2006).

Among the noninstitutionalized elderly in Manchester, 5% of those aged 65 to 74 and 11% of those 75 years and older needed assistance with daily activities such as bathing, preparing meals, and doing chores around the house (U.S. Census, 2000). In addition, 15.8% of the City's noninstitutionalized population aged 65 to 74 and 28.4% of the noninstitutionalized residents aged 75 and older reported difficulty going outside of their homes alone to shop or to visit a doctor's office (U.S. Census, 2000). Finally, it is estimated that more than half of the noninstitutionalized population aged 85 years and older throughout the country is in need of some form of daily assistance.



Improved assistance programs like those emerging from the Seniors Count Initiative along with "livable community" housing options that allow Manchester's seniors to age in their neighborhoods and remain involved in the community are critical. Elders who can no longer drive safely must also have stores, places of worship, medical offices, recreational and cultural facilities close to home, as well as safe, maintained sidewalks (Frumkin, 2004). The City of Manchester, in partnership with the Seniors Count Initiative, continues to embrace the current and future priorities of its frail elderly and aging population. Research is now underway to geographically map the community's neighborhood resources in comparison to select senior risk factors for the purpose of strategically deploying services to where the needs are greatest and best utilized.

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F

June 8, 2006

Mr. Frederick Rusczek
Director
Manchester Health Department
1528 Elm Street
Manchester, NH 03103

Re: School Nurse Concerns Pending Possible Transfer

Dear Mr Rusczek:

As a small group of the nearly thirty school nurses who serve the children of Manchester, we are writing to alert you to our concerns. While the possible transfer of School Nurses from the Health Department to the School Department has been deferred, attention to these concerns remains urgent. We ask for your support in addressing these concerns.

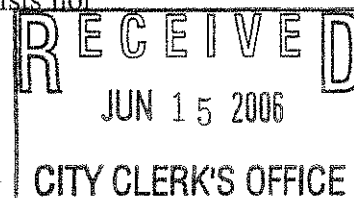
School Nurses are concerned about impact on four main issues should a transfer occur. The issues are as follows: retirement, seniority, accrued sick leave and supervision/ staffing/supplies .

Each issue taken separately reflects the following concerns. Specifically, School Nurses would like to be assured a choice in retirement system. School Nurses are currently covered by the Manchester Contributory Retirement System. If transferred to the School District, state law would force us to join the NH State Retirement System. School Nurses would be compromised should they transfer to the School District's (state) retirement program. ***We respectfully request that Mr. Gerald Fleury be enlisted to draft legislation proposing the School Nurses be allowed to choose retirement programs should a transfer occur. This request is urgent as deadlines must be met within the next three months to preserve the necessary legislative option. This requires your immediate attention.***

Our second concern is for our seniority. We would need assurance that seniority earned as City employees within the Health Department would be carried through upon transfer to the School Department. Likewise, our third concern for accrued sick leave requires the same assurance so this benefit is not forfeited or diminished.

Fourth is an operational concern regarding our supervision, staffing and supplies. As the practice of nursing is distinct from the profession of teaching, we have questions about the supervision of our practice, about staffing and supply procurement. We welcome an opportunity to work closely with School District representatives to ensure a smooth transition should the possible transfer to the School District occur.

We understand that an evaluation of the potential transfer will be conducted beginning this summer. We further understand that the decision will be based on what most benefits the City and its school population. We ask that School Nurses be included in that evaluation process. We would like you to know that no collective dissatisfaction with the Health Department exists nor should be speculated upon as a factor in considering a transfer.



F

Please contact us with any questions or comments you may have. When the school year ends, we will remain interested and will plan to be available to discuss this issue. Should you want to contact us, please persist. We thank you in advance for your anticipated support.

Very truly yours,

Karen Anderson RN
Jessa Hunter RN
Mary Johnson RN BSN
Janet Bross RN

Curtis Houlle RD
Carol J. Hunter RN BSN

Karen B. Hunt RN

Gail M. Furtak RN, C, MS

Melanie Elbogen RN

Kathy Mandorini DPN

Janine Kerouac RN

Elizabeth Kegan RN

Barbara Gleason RN

Joline Manseaw RN

Margaret Dunn RN

Maryann Heustis RN
Jane Gathun M
Chris Capodanno

cc: Mayor Guinta

Members, Board of Aldermen

Members, Board of Health

School Superintendent, Dr. Ludwell

Members, School Board

John McCarthy AFSME



Manchester Health Department Memorandum

Memo to: Manchester School Nurses
CC: Frank Guinta, Mayor
Michael Ludwell, PhD, School Superintendent
Manchester Board of Mayor and Aldermen ✓
Manchester Board of Health
Manchester Board of School Committee
John McCarthy, AFSCME Local 298 President

From: Fred Rusczek *FR*
Date: June 15, 2006
Subject: Letter regarding "School Nurse Concerns Pending Possible Transfer"

Yesterday I received your letter, dated June 8, 2006, regarding your concerns in the event of a transfer of school health services to the Manchester School District. As I've shared with you in the past, the sentiment of the Board of Mayor and Aldermen and the School District administration has been to keep the school health program in the Manchester Health Department in the FY07 budget. In fact, when the FY 07 budget was adopted on June 12th, the projected FY 07 cost for School Health Services was restored to the Health Department's budget.

I believe that all involved understand that the issue of retirement benefits for school nurses needs to be considered in any examination of the pros and cons of transferring the school health program to the School District.

I appreciate that your letter states that "no collective dissatisfaction with the Health Department exists." The Health Department has long valued the important and close working relationship we have with the School District and its staff. Likewise, we have long valued the important role that our school health team play in the health of school children and in the overall public health of the Manchester community. In fact, the recognition of this important role is underscored by the fact that 3 of the last 4 "Employee of the Year" recipients were school nurses. The value that the Health Department places upon the important work of a school nurse in addressing the health issues of our children would continue regardless of which agency oversees their work.

The mayor has indicated that he would like to pursue an examination of the school health program to ensure that the community is pursuing the most effective, cost efficient program it can with the resources available. Such an examination would present an excellent opportunity to look at the challenges and successes of Manchester's school health program in comparison to the health issues that our youth face. This would also provide an excellent opportunity to compare what we do to "model" programs elsewhere in New Hampshire and the country.

In the meantime, I will continue to work with the school nurse work team that is examining program issues that have been raised over the past year. This work will help ensure your concerns are incorporated into the matters to be examined as part of a broader review of the school health program, should one ultimately be undertaken.

MAYOR'S UTILITY COORDINATING COMMITTEE

June 21, 2006

Chairman's Synopsis: Audley has resumed work on Candia Road as Verizon has completed all tasks between the Massabesic Circle and Hanover Street. The Granite Street projects are in full swing with E.D. Swett on the river bridge and Middlesex widening Granite Street from Second Street to So. Main Street. The PSNH call center on West Brook Street has been approved and work will commence soon as it will at the Currier Museum of Art expansion.

~ ~ ~ ~ ~

The meeting was called to order by Peter Capano at 10:05 AM.

MANCHESTER HOUSING & REDEVELOPMENT

Ward

- #3 157 Chestnut St. – MHRA intends to relocate the offices of the Construction Division from 89 Pine St. to this property. The architectural firm of Dennis Mires, PA . The Architects has been selected to design the renovations to office space. Design of renovations is in progress. Solicitation for a Construction Manager for the project has begun.
- #12 French Hall – J.P. Sercel Assoc. (Lazer design/production firm) currently renovating the property for a planned fall '06 occupancy.
- #12 Northwest Industrial Business Park – Oest Engineering continues with the permitting process. Preliminary subdivision design has been reviewed and commented on by staff. Engineers have met with utilities and have begun infrastructure design process.
- #11 Brown School – Funding for project has been approved. Staff is reviewing number of units proposed from Construction Management firms. North Branch Construction has been selected as the Construction Manager.
- #3 Jac-Pac – Continuing to look for interim use proposals. CMC has begun parking at the site.

STATE PROJECTS

- #6 Candia Road [Bypass 28-I-93] – R.S. Audley is under contract with the NH Department of Transportation for this road reconstruction project which has a two-year construction period. Construction expected has recommenced.

Ward

#11 Granite St./F.E.

Everett Trnpk Imprv.

- The NHDOT "B" contract is at punch list stage. Work included relocation of the existing interceptor sewer, the relocation of Allard Drive and construction of a new sound wall between the southbound on-ramp and Turner Street.

The NHDOT "C" contract bid was awarded to Middlesex Corp. of Mass. at \$28,687,750 which includes the City's work on Granite Street between Main St. and the river plus turnpike work. The Everett Turnpike abutment work is underway, most of the steel is up on the piers for southbound lane.

The City's Granite St. Bridge Contract was awarded to E.D. Swett, the low bidder at \$11.7 million. Forming east abutment footing now. The remainder of the City's (Contract "E") Granite Street work (Commercial St. to Elm St.) will be bid in 2006.

#8 Airport Access Road

- The NH Department of Transportation's design is progressing. Building demolition is complete in Manchester. Construction is expected to begin in 2007. The project will be split into multiple contracts. HTA is designing relocation of Trolley Crossing Pump Station force main for EPD.

PLANNING/BUILDING

SUBDIVISIONS

#12 Legacy Dr.

- 11 lot subdivision located between Straw Rd. and Goffstown Road, base pavement is down, some occupancies have been issued. One or two houses left.

#8 Bryant Road

- Approved for both condos (56) and single family housing (34). Construction well underway.

#12 Woodland Pond

- 77 lot subdivision for single-family homes approved with roads off Countryside Blvd. Work has begun on last phase.

1 McLane Lane

- Seven unit planned development approved by Planning Board east end of existing road.

#6 Grand View Estates

- Argeriou property – 15 homes proposed on an extension of Lindstrom Lane has Planning Board approval.

#2 Sky Meadow Way

- 4 unit planned development approved off Currier Drive, work has begun.

#3 167/168 Silver St.

- Two six-unit condos approved by Planning Board.



Ward

- #8 270 Stanton St. - 4 new lots approved by Planning Board. Utility work underway on one lot.

SITE PLANS

- #3 Chinburg - Multiple residential townhouses are under construction with two highrise towers to follow just south of Fisher Cats Stadium. Some occupancy permits have been issued.
- #5 310 Wilson St. - Shopping center rehab. – 73,000 SF, new overall 171,000 S.F. Retail building “B” occupied. “Stop n’ Shop” open. Gas pumps are open. Retail building “A” under construction.
- #2 166 LaGrange Ave. - Islamic Society Mosque foundation permit issued from Building Department.
- #12 17 Riverfront Dr. - One 5-unit condo and one 4-unit condo approved. Work is almost complete.
- #12 Front St./Hackett Hill Road - 52 Unit, six building condos. Occupancy expected soon.
- #6 25 Lakeside Dr. - Dunkin’ Donuts proposal has approval from Planning Board.
- #2 845 Mammoth Rd. - Three story, 10 unit building approved by Planning Board.
- #2 747 Mammoth Rd. - Six-unit apartments under construction.
- #6 Hobbs Way - Four houses to be built off Bridge Street Extension.
- #5 661 Bell St.
“Vista View” - Combination of 12 handicap access apartments & 26 townhouses. Construction has begun.
- #9 915 S.Mammoth Rd. - Three self-storage units has Planning Board approval.
- #7 Maple/Silver Sts. - Mill proposal to convert to housing approved by Planning Board.
- #6 Cohas Brook Estates - “Marathon Way” 31 unit planned development. Work is well underway, some occupancies granted.
- #2 978 Mammoth Rd. - “Mammoth Oaks” 8-unit planned development approved, construction has begun.
- #11 CMC - New medical office building, parking garage and walkway over McGregor St. to be built. Work has begun. Harvey Construction managing this project.

Ward

- #6 1070 Holt Ave. - Industrial building. Work is underway.
- #12 The Neighborhood @ Woodland Pond - 487 Units on 110 acres bordering Goffstown and Hooksett at Hackett Hill approved by Planning Board.
- #2 Currier Museum of Art - Expansion of building towards Orange St. Parking lot on the Prospect Street end has Planning Board approval. Work to begin soon.
- #6 1085/1095 Bodwell Rd. - Planned development, 5 bldgs. 26 units approved by Planning Board. Work is underway.
- #8 293 Abby Rd. - 32,000 S.F. office/warehouse building proposed work under way for Redlon & Johnson.
- #6 1207 Hanover St. - Rehabilitation of existing warehouse/retail to 19,500 S.F. with loading and parking. Approved by Planning Board.
- #9 161 So.Beech St. - Four story, 29 unit apartment proposed along with conversion of church to retail space. Approved by Planning Board.
- #5 1571 S.Willow St. - Jared Jewelers converting Exxon to retail approved by Planning Board. Demolition is complete.
- #3 #73 W.Brook St. - Proposal for a 15,530 S.F. building for PSNH Call Center with parking. Approved by Planning Board.
- #3 #386 Union St. - Proposal for a 4,000 S.F. one story building to be used as a Laundromat at Lake Ave. Under review by Planning Board.
- #8 #70 Keller St. - Proposal to build a 31,000 S.F. Team Nissan dealership. Under review by Planning Board.
- #3 1602 Elm St. - *Rehab of gas station to convenience store underway.*

Water Works Projects

Cleaning & Lining Project

- | | |
|---|--------------------------|
| a) Coolidge Ave. – Dexter to Cartier St. | 2,330 L.F. of 8" |
| b) Kelley St. – Rimmon St. to Notre Dame Ave. | 840 L.F. of 6" |
| c) Hevey St. – Coolidge Ave. to Kelley St. | 1,900 L.F. of 6" |
| d) Rimmon St. – Coolidge Ave. to Kelley St. | 1,770 L.F. of 6",12" |
| e) Granite St. – Allard Dr. to Main St. | 900 L.F. of 10" complete |
| f) Montgomery St. – Mason St. to Kelley St. | 1,400 L.F. of 6" |
| g) Dubuque St. – Bremer St. to Kelley St. | 600 L.F. of 6" |
| h) Cartier St. – Coolidge Ave. to Kelley St. | 430 L.F. of 6" |
| i) Dexter St. – Montgomery St. to Coolidge Ave. | 180 L.F. of 8" |

6
Ward#

Water Main Relays

A) W. Hillcrest – Brown Ave. easterly	860 L.F. of 6"
B) Spruce St. – Lincoln St. to Wilson St.	700 L.F. of 6" complete
C) Cooper St. – Donald St. southerly	380 L.F. of 6"
D) Belair St. – Brown Ave. westerly	310 L.F. of 6" complete
E) Quirin St. – Rimmon St. easterly	270 L.F. of 6"
F) Reed St. – Kelley St. northerly	250 L.F. of 6"
G) Cotter Ct. -	200 L.F. of 1.5"
H) Montcalm St. – Dionne Dr. easterly	150 L.F. of 2"
I) Reed St. – Bremer St. southerly	100 L.F. of 2"
J) Farmer Ln. – Candia Rd. northerly	150 L.F. of 6"
K) Brown Ave. – Relay for Airport Access Rd.	1,500 L.F. of 12"

PARKS & RECREATION PROJECTS
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P&R PROJECTS - FY'04

#5 *Raco-Theodore*

Pool Project - Funding was appropriated in the the current CIP budget for the pool project. Work is almost complete. July 1st opening is anticipated.

#10 *Piscataquog*

Trailway, Phase II - Grant funding for Phase II has been approved by the NH Department of Transportation for a Transportation Enhancement (TEA) project. This will involve continuation of the trail from South Main Street to the West Side Arena. Designed by VHB. On "hold" pending property access.

*Valley Cemetery
Rehabilitation*

- Grant funding from the Land and Community Heritage Investment Program (LCHIP) was approved this Spring. A total of \$400,000 is designated to begin the Phase 1 work, which will be done through (2) bids, Fence Rehabilitation and Gate Environs. Work should be complete in October. Cemetery Brook relocation prep work begun.

#9 *Precourt Trail*

- Precourt Trail to connect to South Manchester Rail Trail. Contract awarded to JGE, the bridge has been ordered and installation is expected this Summer.

HIGHWAY DEPARTMENT PROJECTS

Construction Projects

- # 6 Candia Rd.
Dry Sewer - Sewer construction is 80% complete.
- #11/12 CSO-6 - Work has begun on Kelley, Bremer and Mason Streets. R.D. Edmunds of Franklin, NH. is the contractor on this \$6 million project.
- #3/5 Central St. - Pine to Union reconstruction has resumed.
- #4/5 Merrimack St. - Lincoln to Wilson – second project after Central Street.
- #5 Spruce St. - Lincoln to Wilson – third project, after Merrimack Street.
- #11 Dover St. - Replace sewer this year.
- #3 Chestnut St. - Sidewalks from Hanover St. to Merrimack St.
- #1,5,7 Infrastructure Improvements - Boston St., Cedar St., Roy Ave., Cox St. bids to be opened in June.

MANCHESTER AIRPORT

- #8 Runway 6 - Runway 6 reconstruction ongoing. Contractor awarded Continental Paving, Inc. Completion set for Fall 2006.
- #8 Aerohex Hangars - Rehabilitation of hangars in the N.E. area of the airport. Site work designed by CLD. Construction to begin this Summer 2006.
- #8 Runway 24 Safety Area Extn. Across S. Willow St. - Design work has begun for multiple project associated with the extension of the Runway 24 Safety Area. Construction is slated for 2007.
- #8 De-Icer Fluid Management - Project is under a design/build contract to Weston. Construction is anticipated this Fall.
- #8 Sand/Salt Storage Facility - New facility under design by Louis Berger Group. Projects Bid Opening was June 20, 2006. Apparent low bidder was Kinsman Corp., Inc. of Hooksett, NH.
- #8 Sand Equipment Bid - Next to Airfield Maintenance on Kelley Ave. Project apparent low bidder is Kinsman Corp. June 16, 2006 is the Notice To Proceed.

G

Ward #

- #8 Summit Packaging - Manchester Airport has taken ownership of building.
#16 Ammon Rd. Razing of building scheduled for 2006.
- #8 Meggit Avionics - The property has come back to the Airport due to the
#10 Ammon Rd. expiration of the lease. Razing of the building scheduled
for 2006.
- #8 FAA Existing ATCT - The tower is being reviewed for demolition of the tower
#8 Ammon Rd. cab down to main buildings roof line. RFQ for a construction
management company has been advertised. Demolition is
scheduled for this Fall.
- #8 FAA Aircraft Traffic Control Tower - Construction substantially complete. Facility scheduled
(ATCT) to be operational in August of 2006.

KEYSPAN ENERGY DELIVERY**CSO**

- | | | |
|---|------------------|----------|
| a) Cartier St. – Bremer St. to Kelley St. | 500 L.F. of 4" | Complete |
| b) Youville St. – Bremer St. North to end of Main St. | 220 L.F. of 4" | |
| c) Montgomery St. – Bremer St. North to end of Main St. | 1,015 L.F. of 2" | Complete |
| d) Notre Dame Ave. – Notre Dame at Kelley St. | 125 L.F. of 4" | |
| e) Kelley St. – Dubuque St. to Reed Street | 1,080 L.F. of 8" | |
| f) Bremer St. – Hevey St. to Alsace St. | Tie Ins | Complete |
| g) Hevey St. – Montgomery St. to Kelley St. | 700 L.F. of 6" | Complete |

State of NH-D.O.T.

- | | |
|-------------------------------------|------------------|
| a) Candia Rd. – I93 to Proctor Road | 2,050 L.F. of 8" |
|-------------------------------------|------------------|

System Reinforcement

- | | |
|---|-------------------------------|
| a) Linden St. – 249 Linden St. to North St. | 400 L.F. of 6" |
| b) Taylor St. – Holley Ave. to Villa St. | 225 L.F. of 6" |
| c) Sagamore St. – Union St. to Walnut St. | 270 L.F. of 8" |
| d) Tyler Ave. – S. Beech St. to Cameron St. | 750 L.F. of 8" |
| e) Taylor @ Valley St. - | Convert to high-pressure main |

Ward #

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PSNH

- #3 Merrimack St. - Need to add transformer to existing network duct due to increased downtown load, scheduled after July 4th.
- #11 CMC - Line crews in McGregor, Putnam, Foundry streets for another three weeks, mostly on Foundry Street.

MANCHESTER TRAFFIC DEPARTMENT

- #3 Auburn St. @ Chestnut St. - Bids for upgrade signal project were opened last week. Moulison North was low bidder at \$53,580.00.

VERIZON

- #6 Candia Rd. - Massabesic Circle to I-93. Cable relocation underway. Complete from Circle to Hanover St. Complete in June.
- #5 Spruce St. - Lincoln to Wilson conduit replacement to accommodate Highway Department reconstruction work. Will install conduit on north sidewalk through Wilson St. intersection - to begin in July.
- #11 CMC - Installing new conduit on McGregor Street from Citizen's Bank to Foundry St. 150' this summer.

NEXT MEETING: The next MUCC meeting has been scheduled for Wednesday, July 19th 2006 at 10: 00 AM in the **Conference Room, second floor, at the Manchester Water Works.**

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Attended Contact List

x	Ms. Janet Kelliher	PSNH	882-5894 X5230
	Mr. Karl Franck	Building Dept.	624-6475
	Mr. Jay Davini	Manchester Highway Dept.	624-6444
x	Mr. Guy Chabot	Manchester Water Works	624-6494
x	Mr. Chris Blue	Fire Department	669-2256
	Mr. Mike Venti	Airport Authority	624-6539 X318
	Mr. Jody Rivard	Manchester Fire Dept.	669-2256
	Mr. Chuck Deprima	Parks & Recreation Dept.	624-6565 X315
x	Mr. Matt Wietecha	Verizon	645-2703
	Mr. Terry Harlacher	Planning Department	624-6450
x	Ms. Betty Hackett	Verizon	645-2713
	Mr. Paul Shea	Keyspan	231-4970
x	Mr. Mike Jolin	MHRA	624-2111
	Mr. Tim Dent	Comcast	679-5695 X1013
	Mr. Jim Mason	Traffic Department	624-6580
x	Mr. Alan Poullos	Keyspan	231-6415
x	Mr. Ed Berthiaume	Verizon	645-2703

NOTE: NEW projects for the month will be *italicized/bold* printed.

**MANCHESTER
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



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JOHN H. TRISCIANI, CHAIR
DAVID F. JESPERSEN, VICE CHAIR
JOSEPH J. DESELLE
PETER ESCALERA
MAUREEN A. NAGLE

DAVID SMITH
EXECUTIVE DIRECTOR

May 31, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Leo,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, May 30, 2006. Enclosed are the approved Minutes of the April 25, 2006 Commission Meeting, and the Financial and Ridership Reports for the month of April 2006.

The next scheduled Commission Meeting will be Tuesday, June 27, 2006 at 5:00 PM.

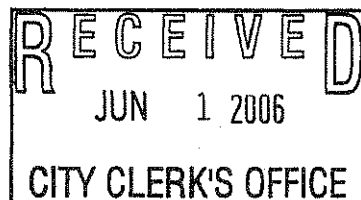
If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

David Smith
Executive Director

DS:cr

Enclosures



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**MANCHESTER
TRANSIT AUTHORITY**
110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
DAVID F. JESPERSEN, VICE CHAIR
JOSEPH J. DESELLE
PETER ESCALERA
MAUREEN A. NAGLE

DAVID SMITH
EXECUTIVE DIRECTOR

Manchester Transit Authority

April 25, 2006 Commission Meeting

MEMBERS PRESENT:

Chairman John H. Trisciani
Vice Chairman David F. Jespersen
Commissioner Joseph J. Deselle
Commissioner Peter Escalera
Commissioner Maureen A. Nagle

PERSONNEL PRESENT:

David Smith, Executive Director
Karyn Bennett, Assistant Executive Director
William J. Cantwell, Supt. of Administration
Evan P. Rosset, Operations Planning Manager
Paul Beauregard, Shop Manager

1. a. Chairman TRISCIANI called the meeting to order at 5:00 PM.
- b. **Minutes of March 28, 2006 Commission Meeting.** JESPERSEN made a motion to accept the March 28, 2006 Commission Meeting Minutes as presented.

Seconded by NAGLE. All Commissioners in favor.

MANAGEMENT REPORTS

2. a. **Financial Report for March 2006.** JESPERSEN made a motion to approve the Financial Report for March 2006. Seconded by DESELLE.

Transit Operation: CANTWELL reported revenue was \$24,464; or 9.51% more than budget. Operating revenue from farebox and tickets was \$4,998; or 20.82% more than budget. Farebox income was \$3,745 more than budget and averaged approximately \$736 per service day. Expenses were over budget by \$22,598; or 7.65%. The variances related to Labor, Fringe Benefits (health/dental insurances

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and transit operators/mechanics sick wages), Materials and Supplies (fueling MTA and City vehicles), and Utilities.

School Operation: CANTWELL reported revenue was \$5,269; or 2.39% less than budget. Athletic charters were low in March but are still ahead for the year. Expenses were \$12,369; or 5.05% less than budget. Labor was under budget because of the decrease in charter activity. CANTWELL noted an entry was made to correct a health insurance expense where a school bus employee's contribution was mistakenly applied to the transit division.

SMITH said the school budget is starting to reflect a positive cash flow.

The check register was reviewed. ESCALERA questioned NH Union Leader billing. CANTWELL responded that was for an employment ad. NAGLE questioned Office of Child Support. SMITH responded for garnishment of wages.

The Accounts Receivable report was reviewed. SMITH noted about \$1,800 in outstanding invoices has been paid since this report.

All Commissioners in favor of approving March 2006 Financial Report.

b. **Operations Reports for March 2006.**

Transit-School Report:

Transit: BENNETT reported during the month a Safety Committee meeting was held to train committee members on how to review on-the-job injury claims. The Committee's goal is to decrease claims by 25%. BENNETT discussed her involvement this month in a table top exercise sponsored by the Manchester Fire Department's Emergency Operations Center, testing community response to an event at the Seabrook Nuclear Power Plant. A transit pick was held during the

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month and BENNETT explained it is done four times a year and allows transit operators the opportunity to rebid their work. She reported they are still working with KKO Consultants on the Comprehensive Operations Analysis. ROSSET and SMITH presented their CMAQ grant proposal for the Downtown circulator to the Advisory Committee and it was recommended for approval. ROSSET, SMITH, and she met with Easter Seals' STS staff to discuss their paratransit eligibility proposal. A member of their staff is reviewing our clients' applications to ensure they meet the ADA criteria.

School: BENNETT reported the three year contract with the Manchester School District was completed this month. There was a NHSTA Safety Awards banquet held at the Radisson Hotel in Manchester with thirteen MTA employees in attendance. Nine MTA drivers with five years or more of accident free driving and MTA mechanics for performing +90% on the school bus inspection were recognized at this banquet.

ESCALERA asked which Manchester facilities are designated for evacuees. BENNETT replied the Red Cross has identified a number of buildings; most are schools and a few churches that have working kitchens and showers. She explained the MTA's role is to shuttle people from one location to another, we will not be sending buses into Seabrook if there is an emergency. BENNETT explained employee training has been scheduled where a Fire Department representative will inform drivers about the evacuation process and different emergency scenarios.

Transit Statistics Ridership Report: ROSSET referenced a new line item titled "U-Pass Riders". He explained we transported 617 NH Community Technical

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College students since inception; 27 in January, 246 in February, and 344 in March. ROSSET reported this is one of the highest ridership months we have had in the past couple of years. TRISCIANI commented on the increased ridership of Routes 5 and 6. ROSSET explained from the survey that was conducted, the Gossler/St. Anselm #6 route is transporting mostly students. ROSSET reported there were no collisions in March. He stated the complaints are consistent with what we have collected in the past, and the reason for the increased complaints is that we are tracking them better. ESCALERA asked what the major complaints are. BENNETT reported top three complaints are customer service, late buses, and bus stop sign issues.

Maintenance Report: BEAUREGARD reported his department performed sixty-one preventive maintenance inspections during the month. They incurred more overtime because two people were out on extended sick leave. They did twenty-eight city vehicle inspections for the State inspection and prepared the remaining 29 school buses for their State inspection. SMITH commended BEAUREGARD and his staff for receiving a +99% passing rate on the State school bus inspection. BEAUREGARD reported there were two transit and two school road calls during the month. No questions from the Board.

NEW BUSINESS

3. a. **Insurance Request for Proposals.** SMITH explained Albert Risk Management released Request for Proposals (RFP) to Capacity Coverage Company and Ferdinando Insurance Agency. Both firms will be contacting Albert Risk Management to select their markets to ensure they are not proposing the same markets. Their proposals are due on the afternoon of June 19th and each will be

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scheduled for a one hour presentation that day. SMITH requested a Committee of two Board members present during the two presentations. NAGLE and ESCALERA volunteered. In the event NAGLE or ESCALERA cannot attend due to scheduling conflicts, TRISCIANI volunteered to be backup. JESPERSEN asked if it is it easier dealing with RLI or National Interstate. SMITH said they have a good working relationship with RLI and agent Bob Chernin. Another plus is being able to go onto their website anytime to get the "status of claims" report.

- b. **School Operation – Retention Bonus.** SMITH explained the retention bonus given to school bus operators last year was very effective in ensuring we started the school year with a full compliment of drivers. He requested input on implementation again this year. TRISCIANI stated we should hold off voting on the retention bonus for this year until we see the outcome of our budget.
- JESPERSEN responded the budget from the Mayor's Office is for transit and the retention bonus would come out of the school operation. TRISCIANI replied the School District is trying to get ten buses purchased from the CIP for \$600,000, if not awarded, we will need backup funds to possibly purchase buses ourselves.
- ROSSET explained the School District asked what the impact would be to change walkers from 1.4 miles to the State's minimum of 2 miles, and another proposal they presented was eliminating high school transportation. TRISCIANI remembered what happened last time the School District mandated we abide by the 1.4 mile provision and ended up reassigning hundreds of students onto school buses. JESPERSEN disagreed with waiting until the budget process was complete and recommended setting aside \$20,000 before the drivers go on summer break. SMITH explained if we have to purchase the buses, the funds

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come from the surplus we generate each year in the school operation.

TRISCIANI said there could be problems in negotiating the Collective Bargaining Agreement with the transit drivers over giving this retention bonus benefit.

NAGLE asked if there were different incentives we could offer the school bus drivers. SMITH said vacation and bonus day incentives would be issues for bargaining. ESCALERA made a motion to approve the \$300.00 retention bonus for school bus operators. Seconded by JESPERSEN. ESCALERA asked the requirements to receive the bonus. SMITH replied individuals must be employees at the end of the school year and when they return in the fall they must remain employed through mid October to receive \$150.00, then employed through mid November to get the remaining \$150.00. JESPERSEN asked if the retention bonus was successful last year. SMITH said it paid for itself in reduced training and advertising expenses. There was enough manpower to maximize charter income, low overtime, and a better accident experience because not as many new drivers. NAGLE feels the bonus is not wasted money, but could be backup funds if our budget is slashed. Roll call was taken. TRISCIANI, JESPERSEN, DESELLE, ESCALERA, and NAGLE voted yea.

- c. **Corporate Monthly Pass.** ROSSET reported E&R Cleaners is moving from their Central Street location to Ross Avenue. Since the majority of their employees do not own vehicles and live within walking distance of their Central Street facility, they will need to use public transportation. E&R has asked if the MTA can provide monthly passes at a discounted rate if ordered in blocks of 50 passes. ROSSET recommended offering a corporate purchase discount on monthly passes in quantities of 50 or more, and selling the passes at \$25.00 each

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to corporate customers only. If approved, E&R cleaners will start purchasing them this spring and give to their employees. NAGLE asked if there were other companies or corporations that would be interested in purchasing monthly passes for their employees. ROSSET said they are planning on targeting specific companies if approved. JESPERSEN made a motion to accept the corporate monthly pass program. Seconded by DESELLE. All Commissioners in favor.

- d. **UNH-Manchester Agreement.** ROSSET reported on the implementation of the "U-Pass Program" for UNH-Manchester stating this is the same agreement we have with the NH Community Technical College. The difference is that UNH-Manchester wants to do it for the entire year (two semesters) instead of one semester. ROSSET said this program would be tougher to promote because unlike NH Community Technical College the bus doesn't pull up to the front door.

JESPERSEN made a motion to accept the letter of understanding between UNH-Manchester and MTA for the period September 2006 through May 2007 for \$1,500. Seconded by NAGLE. All Commissioners in favor.

OLD BUSINESS

4. a. **City Budget Impacts.** SMITH discussed the Mayor's proposed budget. The MTA's request was \$1,237,000, but the Mayor's budget shows we requested a lesser amount of \$1,174,582. SMITH believes the error was made because our budget was presented in two parts; 50/50 operating and 80/20 preventative maintenance. The difference is \$63,000; the 20% local share of our vehicle maintenance. Sean Thomas, Mayor's Assistant, feels this money is in the motorized equipment account. SMITH believes the money in the motorized

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equipment account is the local share for the three buses in our CIP. The Mayor proposed the MTA receive a subsidy of \$1,100,000; leaving a shortfall of \$137,112. SMITH explained if we don't produce the \$137,112 we require for the budget, we won't get the federal match so the impact is doubled to about \$274,000. The Finance Committee Chairman has requested we present a budget 3% less than last year's budget and illustrate the impact. The Finance Committee's proposal is a \$194,657 shortfall. That would require a cut of \$389,000 in total expense because of the loss of the Federal share.

SMITH explained the reduction in service hours required for the Mayor's proposal would be over 6,500 hours coming out of fixed route service. The level of impact would eliminate Verizon shuttle, summer excursions, all Saturday service, and one run on a regular day. He explained the "Direct Cost per Service Hour" is our out-of-pocket cost per hour; driver's wages, hourly fringe benefits, and vehicle cost per hour of service, all add up to \$41.76 per hour. We currently provide about 41,000 hours in fixed route and 7,000 hours of paratransit service every year. We can't affect paratransit service; the reduction would have to come out of the fixed route side. If funding were cut to a 3% reduction from the current subsidy, 9,000 hours of service we would need to cut including all Saturday service and over 10% of weekday service.

SMITH feels it is appropriate to make slight reductions in overall service when we implement the COA, but with ridership increasing consistently through recent months because of gas price increases, he feels we need to do everything we can to avoid cutting service.

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SMITH discussed a fare increase. CANTWELL explained if we raise the fare 25 cents, we only get 12 cents because the FTA would take the other 12 cents and decrease their subsidy. JESPERSEN asked if there were other areas we could tighten up other than transit operators or making service cuts. SMITH said personnel-wise he sees no other opportunity. He explained since 2002 we added a Street Supervisor and a Training Coordinator. The Street Supervisor's position is paid half by the school operation and the Training Coordinator's position is entirely funded by the school operation. The Superintendent of Maintenance position has been vacant for five years. MTA's FY 2007 budget also cuts one mechanic position from current levels.

SMITH stated we have no final figures on health insurance or vehicle liability insurance. Health's guaranteed maximum increase is 18.8% so we could get some savings and we are anticipating a 20% increase in vehicle liability insurance. We have had a good year with maintenance parts, only spending \$58,000 against an expectation of \$90,000. We are budgeted at the same level next year for maintenance parts, and with the arrival of the six new buses we can take a chance to reduce that line item. JESPERSEN asked if there was anything that could make the buses more fuel efficient. SMITH responded there are salesmen who say there is a way, but there isn't.

SMITH explained another way MTA could increase revenues under SAFETEA; the 5-year Highway Transportation Act that was passed last year. This would allow us to expend 80% FTA dollars for the StepSaver service; up to 10% of the annual allocation (\$161,790). We would need to amend the local fiscal years 2006 and 2007 TIP. If we amend this years' grant we generate about \$30,000

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more in federal funds. If we do it next year, it generates about \$60,000 more. By amending the current year and next years' TIP and filing a grant that anticipates 80% funding of ADA, MTA could partially offset the shortfall of local subsidy in the Mayor's budget. SMITH passed out illustrations and explained how this would be handled. He explained the ADA expense of \$212,000 would be split 80/20, then 80% preventive maintenance funding is split leaving the City of Manchester's share to be \$1,138,994. We would still be looking for some savings in budget numbers with minor service reductions. He said if the Board wants to amend the FY 2006 and FY 2007 TIP as illustrated, he would offer this revenue increase in his presentation to the Board of Mayor and Aldermen. DESELLE made a motion based on SMITH's recommendation to amend FY 2006 and FY 2007 TIP. Seconded by ESCALERA. All Commissioners in favor.

- b. **Status – Comprehensive Operations Analysis.** SMITH reported the most recent report we received from KKO Consultants is the one presented to the Board of Mayor and Aldermen. He is expecting something within the next two weeks.
- c. **2006 Hampton Beach Excursions.** SMITH reported if the Mayors' budget prevails, we would have to trim service and eliminate the Verizon shuttle and Hampton Beach excursions. SMITH explained the Board must make a decision on whether or not to go to Hampton Beach. If the Board makes the decision to eliminate Hampton Beach this summer he can take that expense out of the budget immediately. BENNETT said last month she reported having passengers make reservations and, if not enough passengers we wouldn't dispatch a bus, but SMITH said canceling a bus is not acceptable once we promote the service, we

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will need to commit because it is regularly scheduled service. NAGLE said for some people this is the only chance they have to get out of the house. SMITH said the excursion is scheduled to start before the next Board meeting so it has to be considered tonight. NAGLE asked if we start the service Memorial weekend and end up facing a budget cut, could we then cancel the service. SMITH replied yes. ESCALERA made a motion to eliminate the Hampton Beach service. Seconded by TRISCIANI. Roll call was taken; TRISCIANI and ESCALERA voted yea. JESPERSEN, DESELLE, and NAGLE voted nay. TRISCIANI announced the Hampton Beach shuttle will begin running Sunday, May 28th.

NON-PUBLIC SESSION

5. a. At 7:10 PM JESPERSEN made a motion to go into Non-Public Session per RSA 91-A:3. II. a. Seconded by NAGLE. TRISCIANI, ESCALERA, and DESELLE voted yea. On a motion by DESELLE, seconded by ESCALERA, with TRISCIANI, JESPERSEN, and NAGLE voting yea, Non-Public Session adjourned at 7:40 PM. TRISCIANI reported no motions were made during this session.

OTHER BUSINESS

6. a. **One-Way Fare Policy.** BENNETT explained we have a policy that if a passenger catches an outbound fixed route bus, and is still on the bus at the end of the line, that passenger is charged another fare to travel inbound to town. This is done on routes that travel the same route outbound and inbound to discourage people from just riding around on buses. She said there are exceptions to this policy due to safety issues and inconsistency of administration by drivers. She gave the example of one area on Brown Avenue where there are four lanes of

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traffic and no crossing signals. The inconsistency with the policy is that some drivers realize the safety in crossing the street and allow passengers on the outbound trip, and other drivers are complying with the policy and collecting fare at the end of the line. BENNETT said since there are more exceptions than reasons for having the double fare policy, she recommended the Board abolish this policy. JESPERSEN made the motion to eliminate the one-way fare policy. Seconded by NAGLE. All Commissioners in favor.

- b. **Resignation of Vice Chairman Jespersen.** JESPERSEN announced this would be his last official meeting. He and his wife are moving to Raleigh, NC. He will submit his resignation to the Board of Mayor and Aldermen this week. All present expressed their pleasure serving with JESPERSEN and extended their best wishes to him and his wife, Margaret.

- c. **Date for Next Meeting.** Tuesday, May 30, 2006.

With no further business to come before the Board, NAGLE made a motion to adjourn the meeting at 7:45 PM. Seconded by JESPERSEN. All Commissioners in favor.

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Transit

April 2006

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Manchester Transit Authority
Income Statement Transit
For the Ten Months Ending April 30, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Farebox Revenue					
Farebox Revenue	\$17,287.33	\$18,750.00	\$177,083.57	\$165,000.00	\$12,083.57
Adult Fares	1,251.00	2,300.00	20,901.40	23,000.00	(2,098.60)
Adult Monthly Fares	1,912.00	2,100.00	22,900.00	21,000.00	1,900.00
Senior Citizens Fares	825.00	800.00	9,696.50	8,000.00	1,696.50
Senior Citizen Monthly Fare	1,120.00	1,000.00	11,355.50	10,000.00	1,355.50
Disabled Rider Fare	1,623.35	1,500.00	16,887.64	15,000.00	1,887.64
Student Fares	(612.75)	300.00	315.50	3,000.00	(2,684.50)
Total Farebox and Tickets	23,405.93	26,750.00	259,140.11	245,000.00	14,140.11
Shuttle and Excursions					
Shopping Shuttle		1,000.00	10,480.00	10,000.00	480.00
Excursion Revenue			2,591.50	2,400.00	191.50
Total Shuttle and Excursions		1,000.00	13,071.50	12,400.00	671.50
Other Revenue					
Sale of Fuel to City Departments	31,558.25	25,000.00	280,904.22	250,000.00	30,904.22
Sale of Maintenance Service to City	1,211.55	2,000.00	29,136.45	20,000.00	9,136.45
Advertising Revenue-Bus	5,775.25	5,000.00	61,348.99	50,000.00	11,348.99
Rental of Inncity Terminal	800.00	800.00	8,000.00	8,000.00	
Sale of Vehicles and Equipment			1,427.50		1,427.50
Sale of Scrap Materials	255.20		640.55		640.55
Interest Income	940.04	500.00	6,864.51	5,000.00	1,864.51
Photo Picture ID Revenue	2.00	25.00	98.00	250.00	(152.00)
Other Non-Transp. Revenue		25.00	247.64	250.00	(2.36)
Total Other Revenue	40,542.29	33,350.00	388,667.86	333,500.00	55,167.86
Total Operational Income	63,948.22	61,100.00	660,879.47	590,900.00	69,979.47
Operating Assistance					
City of Manchester	89,674.88	89,558.00	895,693.10	895,580.00	113.10
Town of Bedford	3,400.00	3,400.00	34,300.00	34,000.00	300.00
State of New Hampshire			34,153.60		34,153.60
Federal Operating Subsidy	110,954.00	106,926.00	1,123,794.00	1,069,260.00	54,534.00
Total Operating Assistance	204,028.88	199,884.00	2,087,940.70	1,998,840.00	89,100.70
Total Revenue	267,977.10	260,984.00	2,748,820.17	2,589,740.00	159,080.17
Expenses					
Labor					
Transit Operator Wages	55,605.95	52,508.00	576,942.13	560,977.00	15,965.13
Transit Operator Overtime Wages	5,365.75	4,829.00	54,016.50	50,354.00	3,662.50
StepSaver Operator Wages	11,737.19	10,664.00	115,926.31	110,907.00	5,019.31
StepSaver Operator Overtime Wages	1,099.45	2,630.00	9,935.40	26,300.00	(16,364.60)
Mechanic Wages	8,677.92	12,720.00	113,818.90	131,440.00	(17,621.10)
Mechanic Overtime Wages	158.43		8,584.10		8,584.10
Transp. Admin Wages	8,402.37	8,989.00	87,945.91	92,889.00	(4,943.09)
Transp. Admin Overtime Wages	1,041.50	270.00	4,530.73	2,700.00	1,830.73
Maint. Admin Wages	3,628.79	3,553.00	32,878.90	36,715.00	(3,836.10)
General Admin Wages	6,489.66	5,651.00	66,546.52	58,399.00	8,147.52
Gen. Admin Overtime Wages	69.83	81.00	1,315.75	810.00	505.75
Payroll Transaction			298.46		298.46

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Manchester Transit Authority
Income Statement Transit
For the Ten Months Ending April 30, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Total Labor	\$102,276.84	\$101,895.00	\$1,072,739.61	\$1,071,491.00	\$1,248.61
Fringe Benefits					
Health Insurance Expense	46,919.22	40,617.00	443,002.58	406,170.00	36,832.58
Dental Insurance Expense	1,197.56		11,562.13		11,562.13
Life Insurance Expense	668.14	665.00	6,762.54	6,650.00	112.54
Pension Expense	5,820.00	6,370.00	62,610.00	63,700.00	(1,090.00)
FICA Expense	9,567.52	9,135.72	100,662.82	95,645.58	5,017.24
Worker's Compensation	4,892.00	4,420.00	42,488.02	46,000.00	(3,511.98)
Unemployment Compensation		438.00	2,729.52	4,380.00	(1,650.48)
Transit Operator Vacation Wages	4,334.56	4,512.00	43,282.32	45,120.00	(1,837.68)
Transit Operator Holiday Wages	3,901.84	3,529.00	40,420.48	38,816.00	1,604.48
Transit Operator Sick Wages	5,698.98	2,647.00	41,604.18	26,470.00	15,134.18
Mechanic Vacation Wages	1,751.40	1,594.50	18,865.61	15,945.00	2,920.61
Mechanic Holiday Wages	1,210.48	1,143.83	12,566.04	11,438.30	1,127.74
Mechanic Sick Wages	153.50	95.33	12,092.82	953.30	11,139.52
Transp. Admin Vacation Wages	1,188.05	1,076.67	9,176.43	10,766.70	(1,590.27)
Transp. Admin Holiday Wages	599.38	703.17	8,738.54	7,031.70	1,706.84
Transp. Admin Sick Wages	543.17	210.92	3,908.15	2,109.20	1,798.95
Maint. Admin Vacation Wages	672.37	291.83	5,539.18	2,918.30	2,620.88
Maint. Admin Holiday Wages	234.00	379.42	4,273.26	3,794.20	479.06
Maint. Admin Sick Wages	50.11	87.58	50.11	875.80	(825.69)
Gen Admin. Vacation Wages	671.02	677.00	7,019.46	6,770.00	249.46
Gen. Admin Holiday Wages	369.88	442.83	6,630.51	4,428.30	2,202.21
Gen. Admin Sick Wages	189.17	132.83	331.04	1,328.30	(997.26)
Transit Uniform Allowance	842.90	779.00	9,319.62	7,790.00	1,529.62
Maintenance Uniform Allowance	378.44	504.00	2,153.09	5,418.00	(3,264.91)
Tool Allowance		117.00	999.88	1,170.00	(170.12)
License Reimbursement	10.00	25.00	365.00	250.00	115.00
Burden Adjustment	(14,041.08)	(14,553.00)	(129,985.02)	(145,530.00)	15,544.98
Total Fringe Benefits	77,822.61	66,041.63	767,168.31	670,408.68	96,759.63
Services					
Management Consultant	13,296.20	12,142.00	107,163.85	121,420.00	(14,256.15)
Commissioner Expense	17.10	83.00	462.47	830.00	(367.53)
Auditing Expense			5,305.50	4,800.00	505.50
Legal Expense	784.82	500.00	4,768.78	5,000.00	(231.22)
Service Bureau	319.61	1,000.00	5,451.50	10,000.00	(4,548.50)
Security Service	61.00	100.00	1,317.58	1,000.00	317.58
Outside Advertising	658.31	333.00	14,705.48	3,330.00	11,375.48
Driver and Criminal Record			308.00		308.00
Drug & Alcohol Testing	180.00	333.00	6,480.00	3,330.00	3,150.00
Pre-Employment Medical		83.00		830.00	(830.00)
Janitorial Service and Supplies	952.04	658.00	7,746.20	6,580.00	1,166.20
Bank Service Charges	654.35	500.00	6,649.37	5,000.00	1,649.37
Total Services	16,923.43	15,732.00	160,358.73	162,120.00	(1,761.27)
Materials and Supplies					
Fuel Operations	17,688.64	13,629.00	182,162.13	141,045.00	41,117.13
Sale of Fuel to City Departments	29,590.73	25,000.00	273,809.35	250,000.00	23,809.35
Maintenance Parts	4,044.79	9,769.00	62,261.86	100,401.00	(38,139.14)
Purchase Discounts	(233.57)	(250.00)	(1,553.06)	(2,500.00)	946.94
Tires Expense		1,265.00	6,689.16	13,100.00	(6,410.84)
Oil and Grease	378.96	228.00	3,127.15	2,363.00	764.15
Maintenance Supplies	1,765.81	639.00	10,434.45	6,390.00	4,044.45

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Manchester Transit Authority
Income Statement Transit
For the Ten Months Ending April 30, 2006

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Body Shop Supplies	\$357.41	\$148.00	\$11,411.62	\$1,480.00	\$9,931.62
Hazardous Materials		246.00	530.30	2,460.00	(1,929.70)
Outside Parts and Labor	120.00	42.00	601.60	420.00	181.60
Repairs-Inner City Terminal		250.00	493.68	2,500.00	(2,006.32)
Repairs-Building and Grounds	66.69	1,425.00	18,577.32	14,250.00	4,327.32
Repairs-Shop Equipment	192.61	190.00	3,204.94	1,900.00	1,304.94
Repairs-Radio Equipment		83.00	259.03	830.00	(570.97)
Repairs-Office Equipment	362.69	217.00	3,074.96	2,170.00	904.96
Office Supplies	1,236.83	670.00	9,037.18	6,700.00	2,337.18
Transit Schedules and Tickets		584.00	510.33	5,840.00	(5,329.67)
Total Materials and Supplies	55,571.59	54,135.00	584,632.00	549,349.00	35,283.00
Utilities					
Electricity	1,930.31	1,900.00	21,008.84	19,000.00	2,008.84
Natural Gas	1,739.91	1,283.00	13,410.99	12,830.00	580.99
Telephone	542.57	594.00	6,676.64	5,940.00	736.64
Water	295.65	143.00	1,848.36	1,430.00	418.36
Total Utilities	4,508.44	3,920.00	42,944.83	39,200.00	3,744.83
Insurance					
Public Liability Insurance	11,764.00	10,583.00	117,649.00	105,830.00	11,819.00
Other Liability	903.00	1,374.00	9,598.23	13,740.00	(4,141.77)
Total Insurance	12,667.00	11,957.00	127,247.23	119,570.00	7,677.23
Other Expenses					
Dues and Memberships		83.00	292.36	830.00	(537.64)
Tolls and Parking	5.50		205.50		205.50
Training and Meetings	580.66	250.00	2,704.63	2,500.00	204.63
Grievance Expense		38.00	175.00	380.00	(205.00)
Depreciation	28,000.00	29,158.00	280,000.00	291,580.00	(11,580.00)
Total Other Expenses	28,586.16	29,529.00	283,377.49	295,290.00	(11,912.51)
Total Expenses	298,356.07	283,209.63	3,038,468.20	2,907,428.68	131,039.52
Net Income (Loss)	(30,378.97)	(22,225.63)	(289,648.03)	(317,688.68)	28,040.65

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School

April 2006

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Manchester Transit Authority
Income Statement School
For the Ten Months Ending April 30, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Student Transportation					
Pupil Contract	\$177,931.98	\$187,550.00	\$1,447,461.40	\$1,500,400.00	(\$52,938.60)
Manchester Skill Center	15,229.26	16,031.00	126,287.08	122,014.00	4,273.08
Special Needs	16,029.90	12,824.00	118,799.47	123,965.00	(5,165.53)
Student Tickets	3,777.75	3,600.00	39,807.00	28,800.00	11,007.00
Total Student Transportation	212,968.89	220,005.00	1,732,354.95	1,775,179.00	(42,824.05)
School Charter					
Student Athletics	5,216.50	12,000.00	106,725.07	97,000.00	9,725.07
Student Fieldtrips	9,554.00	9,000.00	81,271.25	75,000.00	6,271.25
Total School Charters	14,770.50	21,000.00	187,996.32	172,000.00	15,996.32
Other Revenue					
Sale of Vehicles and Equipment			5,682.50		5,682.50
Interest Income	179.17	100.00	1,052.75	1,000.00	52.75
Other Non-Transp. Revenue			440.48		440.48
Total Other Revenue	179.17	100.00	7,175.73	1,000.00	6,175.73
Total Operational Income	227,918.56	241,105.00	1,927,527.00	1,948,179.00	(20,652.00)
Expenses					
Labor					
School Operator Wages	73,250.73	72,555.00	711,291.28	704,532.00	6,759.28
School Operator Overtime Wages	1,892.41	5,773.00	16,028.40	53,508.00	(37,479.60)
Transit Operator Wages	37.26	565.00	157.28	5,234.00	(5,076.72)
Transit Operator Overtime Wages	32.62		161.19		161.19
Mechanic Wages	12,156.27	8,840.00	97,474.16	91,341.00	6,133.16
Transp. Admin Wages	9,269.88	6,741.00	82,688.47	69,648.00	13,040.47
Transp. Admin Overtime Wages	119.57	270.00	1,532.18	2,700.00	(1,167.82)
Maint. Admin Wages	3,337.09	3,041.00	31,426.60	31,278.00	148.60
General Admin Wages	3,538.73	4,255.00	33,963.20	43,965.00	(10,001.80)
Gen. Admin Overtime Wages		51.00	62.07	510.00	(447.93)
Total Labor	103,634.56	102,091.00	974,784.83	1,002,716.00	(27,931.17)
Fringe Benefits					
Health Insurance Expense	(324.80)		(751.84)		(751.84)
Dental Insurance Expense	(8.37)		1,646.02		1,646.02
FICA Expense	7,754.50	7,343.78	66,331.51	72,368.91	(6,037.40)
Worker's Compensation	3,254.00	3,545.00	31,153.00	35,248.00	(4,095.00)
School Operator Vacation Wages	1,129.50	1,130.00	8,283.00	9,288.00	(1,005.00)
School Operator Holiday Wages	348.49		20,246.97	20,582.00	(335.03)
School Uniform Allowance	(158.89)	342.00	313.06	3,420.00	(3,106.94)
Maintenance Uniform Allowance			50.00		50.00
Tool Allowance			199.99		199.99
License Reimbursement		125.00	2,495.00	1,250.00	1,245.00
Burden Adjustment	14,041.08	14,553.00	129,985.02	144,048.00	(14,062.98)
Total Fringe Benefits	26,035.51	27,038.78	259,951.73	286,204.91	(26,253.18)
Services					
Management Consultant	13,296.20	12,142.00	107,183.85	121,420.00	(14,236.15)
Commissioner Expense	17.10	83.00	473.53	830.00	(356.47)

Manchester Transit Authority
Income Statement School
For the Ten Months Ending April 30, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Auditing Expense			\$7,958.25	\$7,200.00	\$758.25
Legal Expense	199.20	500.00	9,681.64	5,000.00	4,681.64
Service Bureau	551.78	1,500.00	9,869.57	15,000.00	(5,130.43)
Security Service	56.30	150.00	687.98	1,500.00	(812.02)
Outside Advertising	1,708.80	1,250.00	7,268.73	12,500.00	(5,231.27)
Driver and Criminal Record		150.00	2,317.00	1,500.00	817.00
Drug & Alcohol Testing	1,975.00	666.00	7,240.00	6,660.00	580.00
Pre-Employment Medical	420.00	684.00	420.00	6,840.00	(5,420.00)
Janitorial Service and Supplies	165.96	658.00	5,060.19	6,580.00	(1,519.81)
Bank Service Charges	90.50	75.00	784.40	750.00	34.40
Total Services	18,480.84	17,858.00	158,945.14	185,780.00	(26,834.86)
Materials and Supplies					
Fuel Operations	15,731.48	15,327.00	158,587.32	140,628.00	17,959.32
Maintenance Parts	4,555.30	5,560.00	42,429.80	51,016.00	(8,586.20)
Tires Expense	390.00	1,562.00	11,525.81	14,337.00	(2,811.19)
Oil and Grease	225.05	311.00	2,648.52	2,855.00	(206.48)
Maintenance Supplies	1,290.83	444.00	5,919.38	4,440.00	1,479.38
Body Shop Supplies	325.27	103.00	2,666.37	1,030.00	1,636.37
Hazardous Materials		171.00	368.50	1,710.00	(1,341.50)
Outside Parts and Labor		42.00		420.00	(420.00)
Repairs-Building and Grounds	50.31	1,075.00	5,812.12	10,750.00	(4,937.88)
Repairs-Shop Equipment	140.27	143.00	1,930.32	1,430.00	500.32
Repairs-Radio Equipment		83.00	423.86	830.00	(406.14)
Repairs-Office Equipment	234.34	200.00	3,461.17	2,000.00	1,461.17
Office Supplies	563.31	1,005.00	5,461.95	10,050.00	(4,588.05)
School Schedules and Tickets		584.00	5,500.60	5,840.00	(339.40)
Total Materials and Supplies	23,506.16	26,610.00	246,735.72	247,336.00	(600.28)
Utilities					
Electricity	1,579.35	1,433.00	17,188.45	14,330.00	2,858.45
Natural Gas	1,423.56	968.00	10,941.61	9,680.00	1,261.61
Telephone	444.08	448.00	5,013.08	4,480.00	533.08
Water		108.00	1,039.73	1,080.00	(40.27)
Total Utilities	3,446.99	2,957.00	34,182.87	29,570.00	4,612.87
Insurance					
Public Liability Insurance	17,547.00	26,728.00	175,456.00	267,280.00	(91,824.00)
Other Liability	886.00	1,160.00	8,592.04	11,600.00	(3,007.96)
Total Insurance	18,433.00	27,888.00	184,048.04	278,880.00	(94,831.96)
Other Expenses					
Dues and Memberships		167.00	3,039.97	1,670.00	1,369.97
Tolls and Parking	9.50		17.50		17.50
Training and Meetings	157.21	333.00	3,825.94	3,330.00	495.94
Grievance Expense		38.00		380.00	(380.00)
Depreciation	21,000.00	20,000.00	210,000.00	200,000.00	10,000.00
Total Other Expenses	21,166.71	20,538.00	216,883.41	205,380.00	11,503.41
Total Expenses	214,703.77	224,980.78	2,075,531.74	2,235,866.91	(160,335.17)
Net Income (Loss)	13,214.79	16,124.22	(148,004.74)	(287,687.91)	139,683.17

Commissioners Memorandum

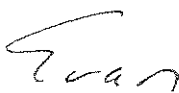


To: Commissioners
 From: Evan Rosset, Operations Planning Manager
 Date: May 23, 2006
 Re: Transit Ridership Report – April 2006

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	April			FYTD			
Routes	Weekdays	2005	2006	% Change	FY 2005	FY 2006	% Change
	Saturdays	21	20		5	5	
Airport- Route #1		843	648	-23.13%	9,296	7,773	-16.38%
Lake-Hanover St. Route #2		2798	2,941	5.11%	30,247	28,724	-5.04%
Goffsfalls Route #3		1216	1,618	33.06%	12,267	15,141	23.43%
Page-Elliott Route #4		1795	1,855	3.34%	17,679	18,524	4.78%
Pinard-Bremer Route #5		946	1,134	19.87%	10,681	11,151	4.40%
Gossler-St. Anselm Route #6		2227	2,429	9.07%	20,891	23,954	14.66%
VA Hospital Route #7		2026	2,128	5.03%	19,191	23,923	24.66%
So. Willow Route #8		3132	3,427	9.42%	32,489	36,346	11.87%
DW Highway-River Rd. Route #9		2384	2,062	-13.51%	20,292	23,100	13.84%
Valley-Weston Rd. Route #10		3361	3,000	-10.74%	32,895	34,517	4.93%
Front St. Route #11		1772	1,866	5.30%	15,510	19,152	23.48%
So. Beech Route #12		3223	2,697	-16.32%	29,198	30,161	3.30%
Bedford Mall Route #13		4549	3,802	-16.42%	42,609	41,575	-2.43%
UPass Riders - NHCTC			280			897	
Vista Shuttle		421	302	-28.27%	4,668	4,207	-9.88%
Hannaford Shuttle		403	462	14.64%	5,529	6,164	11.48%
Stop & Shop Shuttle			156			566	
VERIZON SHUTTLE		1,443	63	-95.63%	7,291	1,884	-74.16%
(number of events)		10	4	-60.00%			
Weekday Fixed Route Totals		32,539	30,590	-5.99%	310,733	327,135	5.28%
Saturday Fixed Route Totals		3,744	4,318	15.33%	32,198	35,692	10.85%
MTA Specials & Excursions		0	0		420	199	
Fixed Route Weekday Average		1,549	1,530	-1.29%	1,472	1,530	3.92%
Total Transit Passengers Served		36,283	34,908	-3.79%	343,351	363,026	5.73%
Total StepSaver Passengers Served		812	825	1.60%	8304	8,525	2.66%

The attached graph shows system-wide ridership trends.


 Evan Rosset
 Operations Planning Manager

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**MANCHESTER
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
JOSEPH J. DESELLE, VICE CHAIR
PETER ESCALERA
MAUREEN A. NAGLE

DAVID SMITH
EXECUTIVE DIRECTOR

June 27, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Leo,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, June 27, 2006. Enclosed are the approved Minutes of the May 30, 2006 Commission Meeting, and the Financial and Ridership Reports for the month of May 2006.

The next scheduled Commission Meeting will be Tuesday, July 25, 2006 at 5:00 PM.

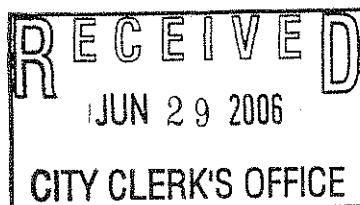
If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

David Smith
Executive Director

DS:cr

Enclosures



MANCHESTER TRANSIT AUTHORITY

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
JOSEPH J. DESELLE, VICE CHAIR
PETER ESCALERA
MAUREEN A. NAGLE

DAVID SMITH
EXECUTIVE DIRECTOR

Manchester Transit Authority

May 30, 2006 Commission Meeting

MEMBERS PRESENT:

Chairman John H. Trisciani
Commissioner Joseph J. Deselle
Commissioner Peter Escalera
Commissioner Maureen A. Nagle

PERSONNEL PRESENT:

David Smith, Executive Director
Karyn Bennett, Assistant Executive Director
William J. Cantwell, Supt. of Administration
Evan P. Rosset, Operations Planning Manager
Paul Beauregard, Shop Manager

1. a. Chairman TRISCIANI called the meeting to order at 5:00 PM.
- b. Minutes of April 25, 2006 Commission Meeting. DESELLE made a motion to approve the Minutes of April 25, 2006 Commission Meeting as presented.

Seconded by NAGLE. All Commissioners in favor.

MANAGEMENT REPORTS

2. a. Financial Report for April 2006. DESELLE made a motion to approve the Financial Report for April 2006. Seconded by ESCALERA.

Transit Operation: CANTWELL reported revenues were \$6,993; or 2.68% more than budget. Operational revenue from farebox and ticket sales was \$4,344; or 15.65% less than budget. Farebox revenue was \$1,643 less than budget and averaged approximately \$765 per service day. Expenses were \$15,146; or 5.35% more than budget. Variances were fringe benefits for health/dental insurances and transit operators sick wage utilization. The variance for material and supplies for

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fuel was offset against lower maintenance parts and tires. Utilities are falling back into line now that the season is changing.

School Operation: CANTWELL reported revenue was \$13,186; or 5.47% less than budget. There was a \$6,800; or 56.53% decrease in student athletic charters. Expenses were \$10,277; or 4.57% less than budget. Year-to-date the school bus division has generated nearly \$62,000 for the school bus replacement account. SMITH stated by the end of the year we should have enough money to purchase three school buses. He verified with the School District's finance officer that the replacement for ten school buses did not get into the Community Improvement Program (CIP).

SMITH requested CANTWELL explain the effect or the reason we are ahead in Federal draw down by \$54,000. CANTWELL explained we have spent \$131,000 more than anticipated on expenses, which was offset against \$70,000 of additional operational income. He said it is never going to be a true 50/50 match, taking into account depreciation and preventative maintenance. SMITH asked if this is within the grant amount. CANTWELL replied we are up to the limit and anticipates by the end of May he may need to draw down the entire grant. He explained we are going to amend the grant to get an 80/20 match for ADA then we should be in line. SMITH said because we are running over budget, we are drawing down the Federal money that is available to us sooner. CANTWELL said if we stayed within the current grant amount we would not have enough funding to go through the fiscal year; we would have a negative number in June. ESCALERA asked if Federal money spent is replaced by the Federal government. CANTWELL responded if we have two bad months and he needs more federal

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money he amends the grant which would take about six to eight weeks before we receive the money. SMITH explained if we are over budget and withdrawing federal funds quicker, we would have to use our reserve for the local share which comes out of the cash account. CANTWELL explained in March we were under funded by about \$5,000. ESCALERA commended CANTWELL on his knowledge of the federal grant process.

ESCALERA commented on the decline in athletic charter revenue and asked CANTWELL if he reviewed the athletic scheduling. ESCALERA believes they are trying to promote more games to be played in Manchester. He also asked if there was a decline in grammar school field trips. CANTWELL replied he didn't get involved with athletic charter destinations and said the school field trips are in line with the budget.

The check register was reviewed. TRISCIANI questioned the Vista Foods \$1,200 overpayment. CANTWELL explained Vista Foods noticed, after a three month period, between their two stores they had double paid us. SMITH explained the checks written for Sal's Pizza and Dunkin Donuts were reimbursed by the New Hampshire School Transportation Association (NHSTA). Every other year the NHSTA conducts a four day training workshop to certify school bus instructors and we hosted the final day.

Accounts Receivable was reviewed. TRISCIANI commented the over 120 day receivables are down to \$3,000 and voiced his concerns of the unpaid 2005 invoices.

All Commissioners in favor of approving Financial Report for April 2006.

b. **Operations Reports for April 2006.**

Transit-School Report:

Transit: BENNETT reported on April 11th the State Emergency Operations Response Team held a table top exercise that was graded by FEMA. The scenario was an explosion at Seabrook and the State's plan is that evacuees from Seabrook would come directly into Manchester. The MTA will transport people from the holding areas in Manchester to the hospitals. Manchester's Bioterrorism Task Force has been meeting monthly in preparation for a drill on August 5th. They are also preparing for a possible flu-pandemic outbreak. BENNETT explained a Safety Committee meeting was held on April 13th to discuss the role of the Safety Committee and help implement a staff review process for on-the-job injuries to avoid future injuries of the same type.

School: BENNETT reported on April 3rd a school bus training class began and we currently have two new school bus operators. The next class will be in July in preparation for the start of the 2006/2007 school year. The MTA hosted a kickoff meeting with the NH Department of Environmental Services (NHDES) for the school bus catalytic converters that will be installed this summer. BENNETT said by the end of April the school charter work started to increase. She discussed the difficulty with scheduling charters this year because of the schools calling last minute for charter work or changing their pickup times, and they get upset if we can't provide the service. TRISCIANI instructed BENNETT to keep documentation of all the last minute changes in the event of any complaints.

Transit Statistics Ridership Report: ROSSET reported there were 280 riders on the NH Community Technical College (NHCTC) U-Pass program. Since inception, we have carried exactly 1,100 passenger trips. He explained our goal

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was 1,000 passenger trips, and since we exceeded our goal we will be billing 68 cents a trip instead of 75 cents. NAGLE stated Andre Jackson runs the Jobs for American Graduates and complimented the MTA for implementing the U-Pass Program. He said it has helped the school because the students no longer have an excuse not to get to school.

ROSSET said ridership for the month looks down, but averages the same as 2005 because there was one less service day. He reported overtime has increased slightly and our costs are down year-to-date. There were two transit collisions during the month, but we were the victim in both incidents. TRISCIANI commented something has to be done with the Verizon Shuttle. This month we sent buses out to four events and transported only 63 people. BENNETT explained we provide shuttle service for the major events and all hockey games. She has been in contact with Verizon's marketing manager Jason Perry and he indicated they receive ample phone calls regarding our service and are updating their website to reflect our link. Our website has been updated so we can regularly announce which events we will be servicing. BENNETT said Mr. Perry feels we have not targeted children's events and he believes we should because of the downtown parking situation and the parents having to walk their children a number of blocks to the arena. Mr. Perry feels targeting the adult crowd will not increase ridership because they usually go out for dinner beforehand and then out for drinks later. BENNETT explained we have not been spending money marketing because we don't charge or receive a subsidy for this service.

Maintenance Report: BEAUREGARD reported his department performed thirty-one inspections on school, E&H, and transit vehicles. They had two road

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calls during the month; one transit and one school. They performed eight City work orders. There were no on-the-job-injuries. SMITH announced the new transit buses are going on line today and production is three weeks for the first bus.

NEW BUSINESS

3. a. **Nominations for Vice Chairman.** TRISCIANI nominated DESELLE to serve out the term of Vice Chairman. With no further nominations, ESCALERA made a motion for DESELLE to serve as Vice Chairman. Seconded by NAGLE. All Commissioners in favor.
- b. **Ratify Telephone Poll Approving Authorizing Resolution to Execute and Certify Grants Electronically.** SMITH explained the document titled "Designation of Signature Authority." He said approval of this document allows CANTWELL and SMITH to receive an electronic pin number from the FTA to electronically execute and certify the grant system. This has been done in the past, but the FTA is redocumenting everyone across the country. CANTWELL executes the grants and SMITH certifies them. NAGLE made a motion to ratify the designation of SMITH and CANTWELL to execute and certify grants. Seconded by TRISCIANI. All Commissioners in favor.
- c. **Ratify Telephone Poll Approving NHDES Grant Amendment to Extend the Contract for the Installation of Catalysts.** SMITH explained last year the MTA executed a grant agreement with the NH Department of Environmental Services (NHDES) to retrofit our older school buses with exhaust oxidation catalysts and emissions equipment. The end date of this agreement is June 30, 2006. The NHDES expected the project to be completed by June 30, 2006, but the vendor

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decided he didn't want to do the work so they are in the beginning stages of selecting a new vendor. They need to extend the contract until September 2007 which would allow enough time to complete the project. It doesn't change the grant, just extends the completion date. DESELLE made a motion to ratify the telephone poll taken to amend the agreement between NHDES and MTA.

Seconded by ESCALERA. All Commissioners in favor.

- d. **Resolution:** SMITH explained when he was hired in 2002; the Board adopted a resolution authorizing him to act on behalf of the MTA. This 2002 resolution authorizes SMITH to continue signing for MTA; however, the NHDES would like an updated resolution for the catalyst installation grant. DESELLE made a motion to update the resolution authorizing SMITH to sign on behalf of the MTA. Seconded by NAGLE. All Commissioners in favor.

- e. **Air Quality Action Day Program.** SMITH explained for the last three years we have participated in the program founded by the NHDES called "Ride Free – Breathe Free." He said whenever the State would declare an air quality pollution day, we provided free service, and at the end of the summer we received reimbursement for lost revenue from the State. There have been roughly four air quality pollution days each summer for the past couple of years. We have been informed by the State that they do not have a grant source for the money this year and will not be offering fare reimbursement. SMITH stated since we haven't had much of a spike in ridership on those days and because of the lack of funding SMITH recommended not participating this year. NAGLE made a motion based on SMITH's recommendation. Seconded by DESELLE. All Commissioners in favor.

OLD BUSINESS

4. a. FY 2007 City Subsidy. SMITH updated the Board on the status of the budget. He explained last week TRISCIANI wrote a letter to the Board of Mayor and Aldermen (BMA) explaining our position after the Finance Chairman recommended cutting the MTA's contribution from the Mayors' recommended \$1.1M to \$850,000; \$250,000 less. SMITH stated the real concern about using cash equity to fund current operations in FY 2007, is what will happen in the subsequent year. He explained in the past we have used some of our resources. Earlier CANTWELL mentioned he expects to use about \$35,000 of cash this year to fund the overage in health insurance. SMITH said a \$250,000 cut, plus what we potentially use to meet the Mayors' budget, is a huge amount relative to the cash we have and would put us in a position of having to borrow from the City in order to meet our cash flow requirements between June and October. It would also put us in a position of asking for subsidy in the range of a 40% increase in FY 2008. If they won't give us a 2% increase this year, they won't give us 40% next year. TRISCIANI's letter concludes that this is a demand for service cuts. There is no other way to look at it and if the BMA were to vote for a reduced amount of \$850,000, it forces us to do a service cut this year and another next year. SMITH passed out the combined balance sheet from our FY 2005 audit to explain what Alderman Gatsas was talking about. He explained Alderman Gatsas wants us to take the funds from current assets and spend them on operations. He said our assets are our equity to fund the operation. CANTWELL explained the current lists of assets. He said there are cash assets; cash in the checking account, and accounts receivable that we expect payment on routinely, and then accrued

revenue we earn because we always get the Federal grant revenue after it is spent. SMITH explained Aldermen Gatsas wants us to take the \$250,000 from those three accounts. He reminded the Board of what happened in November of last year when we were down to \$33,000 in cash. He said it could happen again next year in terms of waiting for Federal approvals and we would be in the position of having to borrow from the City. He explained the second illustration stating if we receive \$850,000 in local funds (\$237,000 shortfall), assuming a 4% inflation rate, we would be asking for a \$362,000 more subsidy in FY 2008; a 40% increase. NAGLE commented people talk about how wonderful they want Manchester to be, but they can't do it without the bus system. ESCALERA asked what types of service will this affect. SMITH said the Board would have to make a decision of how much cash we spend. Alderman Gatsas is not advocating a cut in service; he is advocating spending the equity. In his presentation to the Aldermen, he illustrated a 3% cut which would be all of Saturday service and about 10% of the weekday service. He explained if we get 40% less in 2008, we would be looking at a 40% or 50% service cut which would leave only the healthiest routes on a weekday. NAGLE brought up ROSSET's suggestion of dial-a-bus. SMITH replied we might want to consider providing fixed route service along the major arterials and then supplement service with dial-a-ride service for those who can't get to a bus stop. NAGLE asked if this would affect the school operation. SMITH said if there were significant reductions in the transit budget, it would put a lot of pressure on the school budget because the two operations share the overhead. We would have to figure out how to minimize the impact on the school budget while reducing the transit service and sharing the

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overhead. SMITH explained we don't have a lot of capacity to cut administrative or support staff because we are already operating at minimal levels. The road supervisor is split between transit and school, the training coordinator is paid for 100% by school, we are operating with one less mechanic in our 2007 budget, and we never filled the Superintendent of Maintenance position that has been open for more than 5 years.

- b. **Status – Comprehensive Operations Analysis.** ROSSET gave a brief description of the individual route changes being considered by the consultant. He reported on the elimination of 1-Airport. Moving the industrial loop from 2-Lake/Hanover to route 4 for hourly service and minor rerouting Lake/Hanover to simplify. There is discussion about turning the airport area on the 3-GoffsFalls/Airport into a flex area. On the 4 Page/Elliot; straightening out the alignment and adding hourly service to the industrial park. 5-Pinard/Bremer; discussion about making a flex area from Piscataquog River to Colby Court in Bedford to allow people in that area to go to Wal-Mart and Hannaford's. 6-Gossler/St. Anselm would leave downtown, use Amory Street to Mast Road, and terminate at Shaw's in Goffstown. 7-Veterans Hospital; the plan is to turn that into a line haul loop and still go to Veterans Hospital and Dartmouth Hitchcock and travel inbound along Bridge Street instead of Prospect Street. 8-So. Willow will travel inbound and outbound on Union Street. 9-DW Highway; create line-haul to service Colonial Village, Northside Plaza, and Southern NH University. SMITH is concerned about a section on River Road, south of Stark Park. 10-Valley/Weston; plan is to eliminate the portion that travels south on Taylor Street and serves the Stop'n Shop on South Willow Street, will travel on Porter Street by

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Memorial High School and travel outbound and inbound on Huse Road. 11-Front St/Hackett Hill is currently a 45 minute route. There has been discussion to make this run an hour so we can operate every current deviation inbound and outbound. 12-So. Beech/Mall NH; start the first run at 6:00 AM for E&R Cleaners and discontinue Hesser College. 13-Bedford Mall; will travel Second Street outbound on every trip and possibly travel to Target/Lowe's. The consultant's goal is to make everything an hour. There has been discussion about the flex areas and doing something within 45 to 75 minutes, but that is still uncertain. SMITH realizes the advantage we have now where a driver drives a 45 minute route and then another 45 minute route which allows us to stack the routes closer together. He explained the problem with making the routes one hour; a driver will drive fewer trips every day so we would need more driver hours to provide the same service which would increase our costs. ESCALERA voiced his concerns about Route 7 not traveling inbound on Prospect Street. BENNETT explained that bus would travel inbound on Bridge Street. The Prospect Street passengers will have to wait on Belmont or Bridge Street. ROSSET reported the consultant would be providing another document titled "Evaluation of Service Alternatives" and his new cost figures will be included in this document.

- c. Casualty Insurance Bid Opening – June 19th, 2006. SMITH said he expects proposals from Chernin Agency and Ferdinando Agency on June 19th. Ferdinando will do his presentation at 1:00 PM and Capacity Coverage at 2:30 PM.

OTHER BUSINESS

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5. a. **Commission Vacancy.** NAGLE explained Michael Coons from NHCTC has expressed an interest in the Commission vacancy and referenced the letter he wrote to SMITH. SMITH said he received a phone call from Alderman Long stating Ms. Carol Williams, disabled advocate, is also interested in this appointment. She currently drives, but has used our StepSaver service and fixed route system.
- b. **Date for Next Meeting.** Tuesday, June 27, 2006.

With no further business to come before the Board, DESELLE made a motion to adjourn the meeting at 6:30 PM. Seconded by ESCALERA. All Commissioners in favor.



Transit

May 2006

Manchester Transit Authority
Income Statement Transit
For the Eleven Months Ending May 31, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Farebox Revenue					
Farebox Revenue	\$19,865.35	\$15,000.00	\$196,948.92	\$180,000.00	\$16,948.92
Adult Fares	2,934.00	2,300.00	23,835.40	25,300.00	(1,464.60)
Adult Monthly Fares	1,716.00	2,100.00	24,616.00	23,100.00	1,516.00
Senior Citizens Fares	735.00	800.00	10,431.50	8,800.00	1,631.50
Senior Citizen Monthly Fare	140.00	1,000.00	11,495.50	11,000.00	495.50
Disabled Rider Fare	1,847.62	1,500.00	18,735.26	16,500.00	2,235.26
Student Fares	(984.00)	300.00	(668.50)	3,300.00	(3,968.50)
Total Farebox and Tickets	26,253.97	23,000.00	285,394.08	268,000.00	17,394.08
Shuttle and Excursions					
Shopping Shuttle	2,520.00	1,000.00	13,000.00	11,000.00	2,000.00
Excursion Revenue	175.50		2,767.00	2,400.00	367.00
Total Shuttle and Excursions	2,695.50	1,000.00	15,767.00	13,400.00	2,367.00
Other Revenue					
Sale of Fuel to City Departments	38,543.90	25,000.00	319,448.12	275,000.00	44,448.12
Sale of Maintenance Service to City	1,573.94	2,000.00	30,710.39	22,000.00	8,710.39
Advertising Revenue-Bus	7,696.00	5,000.00	69,044.99	55,000.00	14,044.99
Rental of Innercity Terminal		800.00	8,000.00	8,800.00	(800.00)
Sale of Vehicles and Equipment			1,427.50		1,427.50
Sale of Scrap Materials	28.12		668.67		668.67
Interest Income	1,478.10	500.00	8,342.61	5,500.00	2,842.61
Photo Picture ID Revenue		25.00	98.00	275.00	(177.00)
Other Non-Transp. Revenue		25.00	247.64	275.00	(27.36)
Total Other Revenue	49,320.06	33,350.00	437,987.92	366,850.00	71,137.92
Total Operational Income	78,269.53	57,350.00	739,149.00	648,250.00	90,899.00
Operating Assistance					
City of Manchester	89,440.28	89,558.00	985,133.38	985,138.00	(4.62)
Town of Bedford	3,400.00	3,400.00	37,700.00	37,400.00	300.00
State of New Hampshire			34,153.60		34,153.60
Federal Operating Subsidy	114,628.00	106,926.00	1,238,422.00	1,176,186.00	62,236.00
Total Operating Assistance	207,468.28	199,884.00	2,295,408.98	2,198,724.00	96,684.98
Total Revenue	285,737.81	257,234.00	3,034,557.98	2,846,974.00	187,583.98
Expenses					
Labor					
Transit Operator Wages	52,989.09	55,656.00	629,931.22	616,633.00	13,298.22
Transit Operator Overtime Wages	6,058.35	5,137.00	60,074.85	55,491.00	4,583.85
StepSaver Operator Wages	13,095.26	11,542.00	129,021.57	122,449.00	6,572.57
StepSaver Operator Overtime Wages	1,366.43	2,630.00	11,301.83	28,930.00	(17,628.17)
Mechanic Wages	12,058.35	13,326.00	125,877.25	144,766.00	(18,888.75)
Mechanic Overtime Wages			8,584.10		8,584.10
Transp. Admin Wages	10,280.85	9,417.00	98,226.76	102,306.00	(4,079.24)
Transp. Admin Overtime Wages	1,218.91	270.00	5,749.64	2,970.00	2,779.64
Maint. Admin Wages	3,147.06	3,722.00	36,025.96	40,437.00	(4,411.04)
General Admin Wages	7,139.30	5,921.00	73,685.82	64,320.00	9,365.82
Gen. Admin Overtime Wages		81.00	1,315.75	891.00	424.75
Payroll Transaction			298.46		298.46

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Manchester Transit Authority
Income Statement Transit
For the Eleven Months Ending May 31, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Total Labor	\$107,353.60	\$107,702.00	\$1,180,093.21	\$1,179,193.00	\$900.21
Fringe Benefits					
Health Insurance Expense	46,148.54	40,617.00	489,151.12	446,787.00	42,364.12
Dental Insurance Expense	2,131.19		13,693.32		13,693.32
Life Insurance Expense	374.44	665.00	7,136.98	7,315.00	(178.02)
Pension Expense	5,670.00	6,370.00	68,280.00	70,070.00	(1,790.00)
FICA Expense	11,183.06	9,579.88	111,845.88	105,225.46	6,620.42
Worker's Compensation	4,892.00	4,595.00	47,380.02	50,595.00	(3,214.98)
Unemployment Compensation		438.00	2,729.52	4,818.00	(2,088.48)
Transit Operator Vacation Wages	5,914.44	4,512.00	49,196.76	49,632.00	(435.24)
Transit Operator Holiday Wages	2,483.22	3,529.00	42,903.70	42,345.00	558.70
Transit Operator Sick Wages	6,957.15	2,647.00	48,561.33	29,117.00	19,444.33
Mechanic Vacation Wages	1,630.95	1,594.50	20,496.56	17,539.50	2,957.06
Mechanic Holiday Wages	1,075.57	1,143.83	13,641.61	12,582.13	1,059.48
Mechanic Sick Wages	376.32	95.33	12,469.14	1,048.63	11,420.51
Transp. Admin Vacation Wages	1,093.50	1,076.67	10,269.93	11,843.37	(1,573.44)
Transp. Admin Holiday Wages	1,069.71	703.17	9,808.25	7,734.87	2,073.38
Transp. Admin Sick Wages	254.88	210.92	4,163.03	2,320.12	1,842.91
Maint. Admin Vacation Wages	883.94	291.83	6,423.12	3,210.13	3,212.99
Maint. Admin Holiday Wages	434.70	379.42	4,707.96	4,173.62	534.34
Maint. Admin Sick Wages	300.53	87.58	350.64	963.38	(612.74)
Gen Admin. Vacation Wages	671.00	677.00	7,690.46	7,447.00	243.46
Gen. Admin Holiday Wages	779.19	442.83	7,409.70	4,871.13	2,538.57
Gen. Admin Sick Wages		132.83	331.04	1,461.13	(1,130.09)
Transit Uniform Allowance	529.34	779.00	9,848.96	8,569.00	1,279.96
Maintenance Uniform Allowance	432.55	504.00	2,585.64	5,922.00	(3,336.36)
Tool Allowance		117.00	999.88	1,287.00	(287.12)
License Reimbursement		25.00	365.00	275.00	90.00
Burden Adjustment	(11,924.62)	(14,553.00)	(141,909.64)	(160,083.00)	18,173.36
Total Fringe Benefits	83,361.60	66,660.79	850,529.91	737,069.47	113,460.44
Services					
Management Consultant	13,366.47	12,142.00	120,530.32	133,562.00	(13,031.68)
Commissioner Expense	3.74	83.00	466.21	913.00	(446.79)
Auditing Expense			5,305.50	4,800.00	505.50
Legal Expense	1,743.92	500.00	6,512.70	5,500.00	1,012.70
Service Bureau	1,376.27	1,000.00	6,827.77	11,000.00	(4,172.23)
Security Service	49.21	100.00	1,366.79	1,100.00	266.79
Outside Advertising	1,145.19	333.00	15,850.67	3,663.00	12,187.67
Driver and Criminal Record			308.00		308.00
Drug & Alcohol Testing	310.00	333.00	6,790.00	3,663.00	3,127.00
Pre-Employment Medical	140.00	83.00	140.00	913.00	(773.00)
Janitorial Service and Supplies	536.05	658.00	8,282.25	7,238.00	1,044.25
Bank Service Charges	628.17	500.00	7,277.54	5,500.00	1,777.54
Total Services	19,299.02	15,732.00	179,657.75	177,852.00	1,805.75
Materials and Supplies					
Fuel Operations	20,544.96	14,422.00	202,707.09	155,467.00	47,240.09
Sale of Fuel to City Departments	33,078.67	25,000.00	306,888.02	275,000.00	31,888.02
Maintenance Parts	7,182.99	10,223.00	69,444.85	110,624.00	(41,179.15)
Purchase Discounts	(74.86)	(250.00)	(1,627.92)	(2,750.00)	1,122.08
Tires Expense	1,582.62	1,340.00	8,271.78	14,440.00	(6,168.22)
Oil and Grease	267.95	241.00	3,395.10	2,604.00	791.10
Maintenance Supplies	445.87	639.00	10,880.32	7,029.00	3,851.32

Manchester Transit Authority
Income Statement Transit
For the Eleven Months Ending May 31, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Body Shop Supplies	\$904.56	\$148.00	\$12,316.18	\$1,628.00	\$10,688.18
Hazardous Materials		246.00	530.30	2,706.00	(2,175.70)
Outside Parts and Labor	50.00	42.00	651.60	462.00	189.60
Repairs-Inner City Terminal		250.00	493.68	2,750.00	(2,256.32)
Repairs-Building and Grounds	298.70	1,425.00	18,876.02	15,675.00	3,201.02
Repairs-Shop Equipment	90.27	190.00	3,295.21	2,090.00	1,205.21
Repairs-Radio Equipment		83.00	259.03	913.00	(653.97)
Repairs-Office Equipment	690.87	217.00	3,765.83	2,387.00	1,378.83
Office Supplies	1,393.25	670.00	10,430.43	7,370.00	3,060.43
Transit Schedules and Tickets		584.00	510.33	6,424.00	(5,913.67)
Total Materials and Supplies	66,455.85	55,470.00	651,087.85	604,819.00	46,268.85
Utilities					
Electricity	1,768.02	1,900.00	22,776.86	20,900.00	1,876.86
Natural Gas	607.45	1,283.00	14,018.44	14,113.00	(94.56)
Telephone	536.53	594.00	7,213.17	6,534.00	679.17
Water	169.79	143.00	2,018.15	1,573.00	445.15
Total Utilities	3,081.79	3,920.00	46,026.62	43,120.00	2,906.62
Insurance					
Public Liability Insurance	11,764.00	10,583.00	129,413.00	116,413.00	13,000.00
Other Liability	903.00	1,374.00	10,501.23	15,114.00	(4,612.77)
Total Insurance	12,667.00	11,957.00	139,914.23	131,527.00	8,387.23
Other Expenses					
Dues and Memberships	25.00	83.00	317.36	913.00	(595.64)
Tolls and Parking			205.50		205.50
Training and Meetings	281.57	250.00	2,986.20	2,750.00	236.20
Grievance Expense		38.00	175.00	418.00	(243.00)
Depreciation	28,000.00	29,158.00	308,000.00	320,738.00	(12,738.00)
Total Other Expenses	28,306.57	29,529.00	311,684.06	324,819.00	(13,134.94)
Total Expenses	320,525.43	290,970.79	3,358,993.63	3,198,399.47	160,594.16
Net Income (Loss)	(34,787.62)	(33,736.79)	(324,435.65)	(351,425.47)	26,989.82



School

May 2006

Manchester Transit Authority
Income Statement School
For the Eleven Months Ending May 31, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Student Transportation					
Pupil Contract	\$177,931.98	\$187,550.00	\$1,625,393.38	\$1,687,950.00	(\$62,556.62)
Manchester Skill Center	15,229.26	16,031.00	141,516.34	138,045.00	3,471.34
Special Needs	16,029.90	12,824.00	134,829.37	136,789.00	(1,959.63)
Student Tickets	4,944.00	3,600.00	44,751.00	32,400.00	12,351.00
Total Student Transportation	214,135.14	220,005.00	1,946,490.09	1,995,184.00	(48,693.91)
School Charter					
Student Athletics	18,827.00	12,000.00	125,552.07	109,000.00	16,552.07
Student Fieldtrips	19,133.00	25,000.00	100,404.25	100,000.00	404.25
Total School Charters	37,960.00	37,000.00	225,956.32	209,000.00	16,956.32
Other Revenue					
Sale of Vehicles and Equipment			5,682.50		5,682.50
Interest Income	211.27	100.00	1,264.02	1,100.00	164.02
Other Non-Transp. Revenue	36.25		476.73		476.73
Total Other Revenue	247.52	100.00	7,423.25	1,100.00	6,323.25
Total Operational Income	252,342.66	257,105.00	2,179,869.66	2,205,284.00	(25,414.34)
Expenses					
Labor					
School Operator Wages	88,743.48	91,508.00	800,034.76	796,040.00	3,994.76
School Operator Overtime Wages	6,516.41	7,280.00	22,544.81	60,788.00	(38,243.19)
Transit Operator Wages	82.14	712.00	239.42	5,946.00	(5,706.58)
Transit Operator Overtime Wages	47.13		208.32		208.32
Mechanic Wages	9,177.27	9,260.00	106,651.43	100,601.00	6,050.43
Transp. Admin Wages	7,238.06	7,061.00	89,926.53	76,709.00	13,217.53
Transp. Admin Overtime Wages	274.31	270.00	1,806.49	2,970.00	(1,163.51)
Maint. Admin Wages	2,862.42	3,186.00	34,289.02	34,464.00	(174.98)
General Admin Wages	3,797.07	4,457.00	37,760.27	48,422.00	(10,661.73)
Gen. Admin Overtime Wages		51.00	62.07	561.00	(498.93)
Total Labor	118,738.29	123,785.00	1,093,523.12	1,126,501.00	(32,977.88)
Fringe Benefits					
Health Insurance Expense	(184.29)		(936.13)		(936.13)
Dental Insurance Expense	(1,087.44)		558.58		558.58
FICA Expense	8,237.51	8,888.08	74,569.02	81,256.99	(6,687.97)
Worker's Compensation	3,254.00	4,408.00	34,407.00	39,656.00	(5,249.00)
School Operator Vacation Wages			8,283.00	9,288.00	(1,005.00)
School Operator Holiday Wages	4,957.39		25,204.36	20,582.00	4,622.36
School Uniform Allowance		342.00	313.06	3,762.00	(3,448.94)
Maintenance Uniform Allowance			50.00		50.00
Tool Allowance			199.99		199.99
License Reimbursement	150.00	125.00	2,645.00	1,375.00	1,270.00
Burden Adjustment	11,924.62	14,553.00	141,909.64	158,601.00	(16,691.36)
Total Fringe Benefits	27,251.79	28,316.08	287,203.52	314,520.99	(27,317.47)
Services					
Management Consultant	13,366.47	12,142.00	120,550.32	133,562.00	(13,011.68)
Commissioner Expense	3.74	83.00	477.27	913.00	(435.73)

4

Manchester Transit Authority
Income Statement School
For the Eleven Months Ending May 31, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Auditing Expense			\$7,958.25	\$7,200.00	\$758.25
Legal Expense	149.50	500.00	9,831.14	5,500.00	4,331.14
Service Bureau	2,862.56	1,500.00	12,732.13	16,500.00	(3,767.87)
Security Service	45.43	150.00	733.41	1,650.00	(916.59)
Outside Advertising	52.36	1,250.00	7,321.09	13,750.00	(6,428.91)
Driver and Criminal Record		150.00	2,317.00	1,650.00	667.00
Drug & Alcohol Testing	600.00	666.00	7,840.00	7,326.00	514.00
Pre-Employment Medical	140.00	684.00	560.00	7,524.00	(6,964.00)
Janitorial Service and Supplies	536.05	658.00	5,596.24	7,238.00	(1,641.76)
Bank Service Charges	90.50	75.00	874.90	825.00	49.90
Total Services	17,846.61	17,858.00	176,791.75	203,638.00	(26,846.25)
Materials and Supplies					
Fuel Operations	22,607.12	19,255.00	181,194.44	159,883.00	21,311.44
Maintenance Parts	3,111.14	6,985.00	45,540.94	58,001.00	(12,460.06)
Tires Expense	195.00	1,963.00	11,720.81	16,300.00	(4,579.19)
Oil and Grease	323.84	391.00	2,972.36	3,246.00	(273.64)
Maintenance Supplies	579.90	444.00	6,499.28	4,884.00	1,615.28
Body Shop Supplies	472.72	103.00	3,139.09	1,133.00	2,006.09
Hazardous Materials		171.00	368.50	1,881.00	(1,512.50)
Outside Parts and Labor		42.00		462.00	(462.00)
Repairs-Building and Grounds	293.25	1,075.00	6,105.37	11,825.00	(5,719.63)
Repairs-Shop Equipment	62.73	143.00	1,993.05	1,573.00	420.05
Repairs-Radio Equipment		83.00	423.86	913.00	(489.14)
Repairs-Office Equipment	268.50	200.00	3,729.67	2,200.00	1,529.67
Office Supplies	434.63	1,005.00	5,896.58	11,055.00	(5,158.42)
School Schedules and Tickets		584.00	5,500.60	6,424.00	(923.40)
Total Materials and Supplies	28,348.83	32,444.00	275,084.55	279,780.00	(4,695.45)
Utilities					
Electricity	1,446.57	1,433.00	18,635.02	15,763.00	2,872.02
Natural Gas	422.05	968.00	11,363.66	10,648.00	715.66
Telephone	438.96	448.00	5,452.04	4,928.00	524.04
Water	138.91	108.00	1,178.64	1,188.00	(9.36)
Total Utilities	2,446.49	2,957.00	36,629.36	32,527.00	4,102.36
Insurance					
Public Liability Insurance	17,547.00	26,728.00	193,003.00	294,008.00	(101,005.00)
Other Liability	886.00	1,160.00	9,478.04	12,760.00	(3,281.96)
Total Insurance	18,433.00	27,888.00	202,481.04	306,768.00	(104,286.96)
Other Expenses					
Dues and Memberships		167.00	3,039.97	1,837.00	1,202.97
Tolls and Parking	6.00		23.50		23.50
Training and Meetings	256.88	333.00	4,082.82	3,663.00	419.82
Grievance Expense		38.00		418.00	(418.00)
Depreciation	21,000.00	20,000.00	231,000.00	220,000.00	11,000.00
Total Other Expenses	21,262.88	20,538.00	238,146.29	225,918.00	12,228.29
Total Expenses	234,327.89	253,786.08	2,309,859.63	2,489,652.99	(179,793.36)
Net Income (Loss)	18,014.77	3,318.92	(129,989.97)	(284,368.99)	154,379.02

Commissioners Memorandum



To: Commissioners
From: Evan Rosset, Operations Planning Manager
Date: June 19, 2006
Re: Transit Ridership Report – May 2006

<u>Routes</u>	<u>May</u>		<u>% Change</u>	<u>FYTD</u>		
	Weekdays Saturdays	2005 20 4	2006 21 4	FY 2005	FY 2006	% Change
Airport- Route #1		976	976	10,272	8,749	-14.83%
Lake-Hanover St. Route #2		2964	3,419	33,211	32,143	-3.22%
Goffsfalls Route #3		1284	1,781	13,551	16,922	24.88%
Page-Elliott Route #4		1983	1,835	19,662	20,359	3.54%
Pinard-Bremer Route #5		1107	1,217	11,788	12,368	4.92%
Gossier-St. Anselm Route #6		2230	2,736	23,121	26,690	15.44%
VA Hospital Route #7		2234	2,434	21,425	26,357	23.02%
So. Willow Route #8		3606	3,734	36,095	40,080	11.04%
DW Highway-River Rd. Route #9		2374	2,350	22,666	25,450	12.28%
Valley-Weston Rd. Route #10		3844	3,318	36,739	37,835	2.98%
Front St. Route #11		1781	1,832	17,291	20,984	21.36%
So. Beech Route #12		3564	2,347	32,762	32,508	-0.78%
Bedford Mall Route #13		5329	3,551	47,938	45,126	-5.87%
UPass Riders - NHCTC			223		1,120	
Vista Shuttle		490	312	5,158	4,519	-12.39%
Hannaford Shuttle		407	516	5,936	6,680	12.53%
Stop & Shop Shuttle			156		722	
VERIZON SHUTTLE		88	0	7,379	1,884	-74.47%
(number of events)		5	2			
Weekday Fixed Route Totals		31,241	32,514	341,974	359,649	5.17%
Saturday Fixed Route Totals		3,020	2,970	35,218	38,662	9.78%
MTA Specials & Excursions		0	0	420	199	
Fixed Route Weekday Average		1,562	1,548	1,478	1,530	3.48%
Total Transit Passengers Served		34,261	35,484	377,612	398,510	5.53%
Total StepSaver Passengers Served		854	810	9158	9,335	1.93%

The attached graph shows system-wide ridership trends.


 Evan Rosset
 Operations Planning Manager



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Cultural Resources
19 Pillsbury Street, Concord, NH 03301-3570
TDD Access: Relay NH 1-800-735-2964
www.nh.gov/nhdhr

603-271-3483
603-271-3558
FAX 603-271-3433
preservation@nhdhr.state.nh.us

June 26, 2006

Mayor and Board of Aldermen
1 City Hall Plaza
Manchester NH 03101

RE: Stark Park; Manchester, New Hampshire

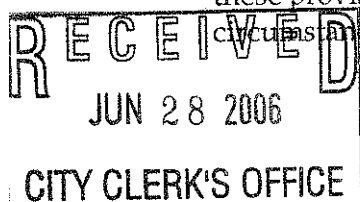
Date Entered: June 14, 2006

Dear Members:

As New Hampshire State Historic Preservation Officer, I am pleased to inform you that the property referred to above was entered in the National Register of Historic Places on the date indicated. A copy of the official notice and the National Register nomination are on file and available for your inspection at the Division of Historical Resources, 19 Pillsbury Street, Concord, New Hampshire.

The National Register is the official federal listing of significant heritage resources (buildings, structures, sites, districts and objects) worthy of preservation, but does not impose any restriction or limitation on the use of private or non-federal property unless federal funds or programs are directly involved. Registered resources are eligible to be considered for federal matching grants-in-aid for protection, preservation, rehabilitation or reuse. National Register designation also provides for review by the Advisory Council on Historic Preservation (a federal agency) of potential effects which any federally funded, assisted or licensed project might have on registered properties.

If a property is listed in the National Register, certain federal tax provisions may apply. The Tax Reform Act of 1986 revises the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1984, and as of January 1, 1987, provides for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credit (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial or industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because tax aspects outlines above are



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complicated, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification, please refer to 36 CFR 67.

If you have any questions, please call the Division of Historical Resources at (603) 271-6437.

Sincerely,



James McConaha, Director
New Hampshire State Historic Preservation Officer

JMc:cfr

cc: Planning Board
Conservation Commission
Heritage Commission

JEB BRADLEY
1ST DISTRICT, NEW HAMPSHIRE

COMMITTEE ON ARMED SERVICES

COMMITTEE ON THE BUDGET

COMMITTEE ON VETERANS' AFFAIRS

COMMITTEE ON SMALL BUSINESS

CHAIRMAN, SUBCOMMITTEE ON
TAX, FINANCE AND EXPORTS



UNITED STATES
HOUSE OF REPRESENTATIVES

1218 LONGWORTH BUILDING
WASHINGTON, D.C. 20515
(202) 225-5456

33 LOWELL STREET
MANCHESTER, NH 03101
(603) 641-9536

104 WASHINGTON STREET
DOVER, NH 03820
(603) 743-4813

May 26, 2006

Mayor Frank Guinta
One City Hall Plaza/ East Wing
Manchester, NH 03101

Dear Mayor Guinta,

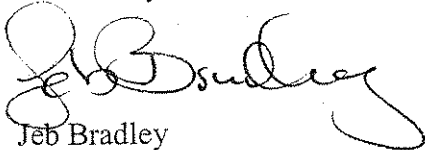
As you know, most regions of New Hampshire suffered severe damage to both public infrastructure and private property as a result of the recent heavy rains and flooding. New Hampshire's first responders, emergency personnel and local volunteers have done an exceptional job managing this disaster and they deserve our commendation and deepest gratitude.

Local and state governments share the responsibility for protecting their citizens from disasters, and for helping them to recover when disaster strikes. In some cases, like this one, a disaster is beyond the capabilities of the state and local governments to respond. Based on the urging of the Congressional delegation and the application filed by the State of New Hampshire, President Bush has declared a major disaster for Belknap, Carroll, Hillsborough, Merrimack, Rockingham and Strafford counties, activating an array of federal programs to assist in the response and recovery efforts.

Attached you will find a basic overview of the disaster declaration process and federal disaster assistance. More assistance and detailed information for individuals is available at www.fema.gov/assistance/index.shtm.

My website (www.house.gov/bradley) will be updated frequently with new information that will help facilitate disaster assistance. Please do not hesitate to contact my office if you need assistance or have additional questions. As always, I can be reached on my cell phone at (603) 387-2365.

Yours truly,

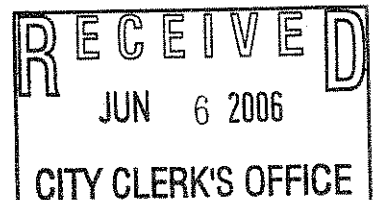

Jeb Bradley
Member of Congress

RECEIVED

JUN 01 2006

MAYOR'S OFFICE

Cc: Police Chief John Jaskolka, Fire Chief Joseph Kane, Board of Mayor and Aldermen



K



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Proposed Zoning Changes*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, please find the following proposed changes to the Zoning Ordinance. These changes include: Lookback provisions (those that the Board had asked us to revisit when the full ordinance was passed), and additional changes proposed by various Departments of the City. We believe that the ordinances are correct from a technical standpoint and may proceed to a public hearing at the Board's discretion.

Lookback Provisions:

- 1) Rezoning on South Willow Street from R-1B(PO) to B-2 District in the vicinity of Doris Street, Laxson Avenue and Seames Drive;
- 2) Rezoning on South Willow Street from R-1B to B-2 in the vicinity South Lincoln Street and Parkview Street;

Other changes by staff:

- 3) Correcting the zoning district line for the CV (conservation) district in the area of the Piscataquog River Park (Building and Planning);
- 4) Creation of a new "Landfill Ground Water Management Zone" in the vicinity of Dunbarton Road and Front Street (Public Works);
- 5) Creation of a new Lake Massabesic Protection Overlay District in the eastern part of the City (Manchester Water Works);
- 6) Revision to loading zones (Planning);
- 7) Locations for electronic message boards (Planning);
- 8) Revision to Definitions (Building);
- 9) Revision to Table of Accessory Uses (Building);
- 10) Revision to Front Yard parking (Building and Planning);
- 11) Revision to Special Lot Sizes in the R-2 district (Building);

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

- K
- 12) Clarification of expiration dates of variances, special exceptions and conditional use permits (Building and Planning); and
 - 13) Design Guidelines for the Arena Overlay District (Planning)[Note: this is not technically part of the Zoning Ordinance. The Ordinance does require the preparation of these guidelines and after consultation with the City Solicitor, it was felt that the guidelines should go to hearing and be approved by the Board].

Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

I will be available for any questions that the Board may have.

Sincerely,



Robert S. MacKenzie, AICP
Planning Director

C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River to include the following Tax Maps/Lots: 693/40B; 647/1; 647/2; 647/3; 647/4; 694/1; 701/42; 701/43; 701/44; 700/52; 648/5; 648/6; 648/7; 648/8; 648/12; 648/14; 648/58; 646/14; 646/23; 699/47; 699/54; 568/1; 736/5A; 736/7A; 736/8; 736/8A; 525/21; 525/21A; 526/2; 526/5A; and 632/35.

SECTION II.) Resolve this Ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include all of Tax Map 381, Lot 47.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district in the vicinity of S. Willow Street, S. Lincoln Street and Parkview Street, to include all of Tax Map 381, Lot 47, a portion of which is currently zoned R-1B (Residential One Family).

SECTION II.) Resolve this Ordinance shall take effect upon passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned R-1B(PO) (Residential One Family/Professional Office Overlay) located on the northeasterly side of South Willow Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned R-1B(PO) (Residential One Family/Professional Office Overlay) located on the northeasterly side of South Willow Street, in the vicinity of Doris Street, Laxson Avenue and Seames Drive, and including the following Tax Maps/Lots: 381/48; 384/22; a portion of 384/23; a portion of 384/24; 384/25; 384/43; 384/44; 384/45; and 384/58.

SECTION II.) Resolve this Ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by changing the expiration period of variances, special exceptions, and conditional use permits in Article 15.03 to be consistent with the expiration period in Article 14.02.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by amending Article 15, Section 15.03B. Special Exceptions, Variances, and Conditional Use permits by removing the expiration date of *two (2) years* and inserting *one (1) year* in its place.

SECTION II.) Resolve this ordinance shall take effect upon passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District for clarification and consistency with the original intent of the special lot sizes in this district.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District, so that the first sentence reads:
“Within the R-2 District, *both vacant and developed lots (which contain otherwise conforming uses and structures)* created prior to May 19, 1987 of at least 5,000 square feet in area and a lot width of at least 50 feet shall be considered conforming and shall not be subject to consolidation provisions of this ordinance.”

SECTION II.) Resolve this Ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

K

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.09B 2 regarding the use of front yard areas for parking in residential districts.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding a second sentence to Article 10.09B.2 Front yard that reads: “*One additional parking space may be provided within a paved area adjacent to a driveway, provided that the additional space is outside the required minimum front yard setback.*”

SECTION II.) Resolve this Ordinance shall take effect upon passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by adding language to 5.11 Table of Accessory Uses regarding the storage of unregistered automobiles.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding language to 5.11 K2 of the Table of Accessory Uses so that it reads: “Accessory storage of one trailer, one unregistered *or otherwise non-roadworthy* automobile or one boat.”

SECTION II.) Resolve that this Ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot Width in Article 3.03 Definition of Terms.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot Width in Article 3.03 Definition of Terms, so that it reads: “*The shortest horizontal distance between the side lot lines.*”

SECTION II.) Resolve this Ordinance shall take effect upon passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 9.07 to restrict the location of electronic message boards and flashing signs.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding a subsection 9.07(I.), which shall read: *“Electronic message board signs or flashing signs shall be limited to the B-2 zoning district.”*

SECTION II.) Resolve this Ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) Loading Spaces such that the second sentence reads "Each loading space shall be a minimum of 12 feet in width and 50 feet in length, not including space for maneuvering, *unless waived by the Planning Board in conjunction with site plan or planned development review.*

SECTION II.) Resolve this Ordinance shall take effect upon passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.

SECTION II. Article 4.01 B Overlay Districts

Article 4.01(B) 10 Lake Massabesic Protection Overlay District (LMPOD)

The purpose of this overlay district is to protect the Lake Massabesic drinking water supply to the City of Manchester.

SECTION III. Article 4.02 Official Zoning Maps

4.02 (A) “...the Historic Districts Overlay districts, the Arena Overlay District, the Manchester Landfill Groundwater Management Zone Overlay District, and the Lake Massabesic Protection Overlay District.”

SECTION IV. Article 7 Special District-Wide Regulations

7.11 Lake Massabesic Protection Overlay District (LMPOD)

A. Authority for the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls.

B. Establishment of the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District includes the entire Lake Massabesic watershed located in Manchester. This area is called out to avoid impacts that may affect the drinking water supply over the long term, addressing such issues as stormwater contamination, imperviousness, steep slope disturbance and other land use activities that could potentially be a nonpoint source water quality issue or diminish surface water recharge. EPA Phase II Stormwater Regulation criteria applies to all development creating disturbance to land in the Lake Massabesic Protection Zone.

C. Prohibitions within the Lake Massabesic Protection Overlay District

1. Regardless of the underlying zone, the following land uses, as listed in Article 5.10 Table of Principal Uses and Table 5.11 Table of Accessory Uses are deemed incompatible with the intent of and prohibited in the Lake Massabesic Protection Overlay District:

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

Use No.	Use	Critical	See Section 7.11
C.2	Building contractor yards	X	Outdoor storage
D.1	Primary manufacturing ind.	X	If unsewered
D.2	Other manufacturing fabrication	X	If unsewered
D.3	Materials research and testing	X	If unsewered
D.6	Research and Development	X	
E.1	Taxi, bus, rail terminal	X	
E.4	Truck or rail terminal	X	
E.5	Bulk fuel storage for distribution	X	
E.6	Airports, air terminals	X	
E.11	Solid waste / resource recovery	X	
H-6.1	Domestic laundry and cleaning	X	If unsewered
H-6.8	Ind. launderers, dyers	X	If unsewered
I.1	Sales or rental of motor vehicles	X	
I.2	Sales, rental, repair of boats, etc	X	
I.3	Sales, rental, repair of heavy eq.	X	
I.4	Automotive repair	X	
I.5	Automotive service station	X	
I.6	Carwashes and car care centers	X	
M.2	Accessory outside storage ind	X	
M.3	Accessory manufacturing use	X	

2. In addition, the following restrictions and/or prohibitions of land uses apply within 50 feet of waterways or wetlands in the Lake Massabesic Protection Overlay District: No impervious surfaces (driveways, parking lots, roads, etc.) or septic systems.

D. Additional Restrictive Policies Pertaining to the Lake Massabesic Protection Overlay District.
In addition to the restrictions listed in this LMPOD, the District is also subject to criteria and guidelines contained in the following documents on file in the City:

- City Stormwater Ordinance (and any subsequent revisions) - Highway Department
- City Stormwater Rules and Regulations (and any subsequent revisions) - Highway Dept.
- Subdivision and Site Plan Regulations (and any subsequent revisions) - Planning Department

SECTION V. Resolve this ordinance shall take effect upon passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I. Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay District to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.

SECTION II. **Article 3.03 Definition of Terms**

Groundwater: Subsurface water that occurs beneath the water table in soils and geologic formations.

Groundwater Management Zone: Designated by the State through permit process as a component of the remediation of contaminated groundwater. The State shall issue permits or other similar controls for such zones that establish a time period and process for the remediation of the groundwater.

SECTION III. **Article 4.01 B Overlay Districts**

4.01 B. 9 Manchester Landfill Groundwater Management Zone (ML-GMZ)

The purpose of this overlay district is to protect public health by restricting groundwater use. The groundwater quality is being monitored under a permit issued by New Hampshire Department of Environmental Services (NHDES). Pumping of groundwater from any well, trench, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding. The extent of the District shall be as referenced by NHDES Permit as the Manchester Landfill Groundwater Management Zone.

SECTION IV. **Article 4.02 Official Zoning Maps**

4.02.A “...In addition to the base districts, the map includes the *Residential-Professional Office (R-PO) Overlay districts* and the *Historic Districts Overlay districts*, the *Arena Overlay district*, and the *Manchester Landfill-Groundwater Management Zone (ML-GMZ) Overlay district*. The *Airport Navigational*....”

City of Manchester New Hampshire

In the year Two Thousand and

Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION V. **Article 7 Special District-Wide Regulations**

7.10 Manchester Landfill Groundwater Management Zone (ML-GMZ)

A. Authority for the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls. Monitoring wells and surface water sampling stations constitute remediation activities and ML-GMZ Overlay district is considered to be an innovative land use control as environmental characteristics zoning.

B. Establishment of the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone Overlay is established in accordance with, and for the purposes so stated in Section 4.01, Establishment and Purpose of Districts, of this Ordinance. It encompasses lands in NHDES Manchester Landfill Groundwater Management Zone Permit as indicated on the Overlay Map Manchester Landfill Groundwater Management Zone adopted pursuant to Section 4.02 (A) Official Zoning Base District Map, of this Ordinance.

The Manchester Landfill Groundwater Management Zone Overlay Map displays those parcels effected by groundwater contamination by virtue of lying downgradient of the City landfill. Withdrawal of groundwater from this area is prohibited (see Article 4.01 B.9) in the interest of public health, safety, and general welfare. The area contains monitoring wells and surface water sampling stations that survey the remediation of degraded groundwater supplies. The extent of the area is referenced by NHDES Permit.

C. Uses Prohibited within the ML-GMZ Overlay

Pumping of groundwater from any well, trench, sump, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding.

SECTION VI. Resolve this ordinance shall take effect upon passage.

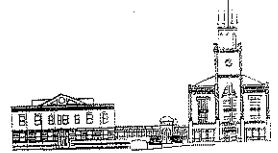


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Proposed Zoning Changes

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, please find the following proposed changes to the Zoning Ordinance. These changes include: Lookback provisions (those that the Board had asked us to revisit when the full ordinance was passed), and additional changes proposed by various Departments of the City. We believe that the ordinances are correct from a technical standpoint and may proceed to a public hearing at the Board's discretion.

Lookback Provisions:

- 1) Rezoning on South Willow Street from R-1B(PO) to B-2 District in the vicinity of Doris Street, Laxson Avenue and Seames Drive;
- 2) Rezoning on South Willow Street from R-1B to B-2 in the vicinity South Lincoln Street and Parkview Street;

Other changes by staff:

- 3) Correcting the zoning district line for the CV (conservation) district in the area of the Piscataquog River Park (Building and Planning);
- 4) Creation of a new "Landfill Ground Water Management Zone" in the vicinity of Dunbarton Road and Front Street (Public Works);
- 5) Creation of a new Lake Massabesic Protection Overlay District in the eastern part of the City (Manchester Water Works);
- 6) Revision to loading zones (Planning);
- 7) Locations for electronic message boards (Planning);
- 8) Revision to Definitions (Building);
- 9) Revision to Table of Accessory Uses (Building);
- 10) Revision to Front Yard parking (Building and Planning);
- 11) Revision to Special Lot Sizes in the R-2 district (Building);

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

- 12) Clarification of expiration dates of variances, special exceptions and conditional use permits (Building and Planning); and
- 13) Design Guidelines for the Arena Overlay District (Planning)[Note: this is not technically part of the Zoning Ordinance. The Ordinance does require the preparation of these guidelines and after consultation with the City Solicitor, it was felt that the guidelines should go to hearing and be approved by the Board).

Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

I will be available for any questions that the Board may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul S. MacKenzie", with a large, sweeping initial "P" and a horizontal line extending to the right.

Robert S. MacKenzie, AICP
Planning Director

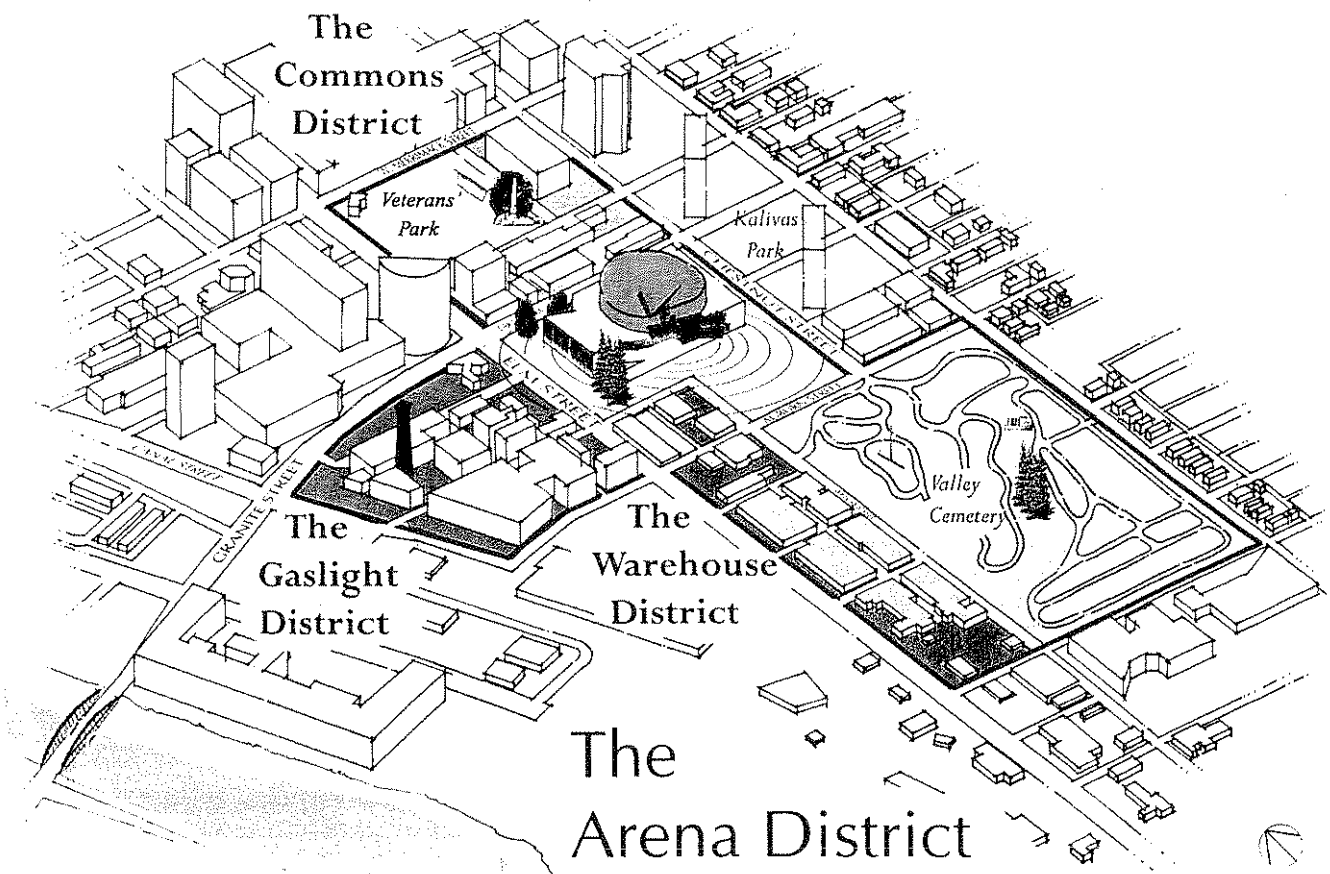
C: Planning Board
 Office of the City Solicitor
 Building Department
 Economic Development Office



The Arena District Urban Design Guidelines



City of Manchester - Department of Planning & Community Development
May 2004



Purpose

The area surrounding the Verizon Wireless Arena is poised for long-term growth and improvement. The demonstrated success of the Arena to attract significant numbers of sports and entertainment customers to the area, coupled with the impending construction of a new baseball stadium and mixed-use development along the Merrimack River, will continue to enhance the image of this portion of the City. The Arena's success also has laid the groundwork for spin-off development throughout the Arena District. Planned transportation improvements in the area will also provide better accessibility for pedestrians and vehicles.

With ever-increasing numbers of visitors to these venues, the potential for a vibrant area of entertainment, nightlife, retail activity, services, restaurants, lodging and housing is strong. Future development must be a cooperative effort. The City of Manchester, private landowners and developers must take the right steps to ensure that the Arena District and its distinct neighborhoods achieve the greatest potential possible for residents and visitors.

Three upgrades are critical to achieve this goal: 1. Making the area pedestrian friendly; 2. Creating a mixed-use environment with activities and services that are complimentary to the Arena and stadium; and 3. Upgrading the visual appeal and design quality of the adjacent neighborhoods. The City has adopted an Arena Overlay Zoning provision to help ensure that these improvement goals are met. As part of the provision, new developments and changes to existing sites and buildings must be submitted to the Planning and Community Development Department for design review.

The images presented in this document show examples of streetscape and architectural enhancements which can transform the Arena area into an enticing, visitor-friendly, and economically thriving environment. The accompanying Design Guidelines provide the framework for planning and design decisions. Planning and Community Development Department staff is available to review these guidelines prior to the submission of an application and development proposal.

M

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration respectfully recommends, after due and careful consideration, that the 4th quarter FY2006 write off list for the accounts receivable module be approved.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

Department of Finance
Accounts Receivable
4th Quarter FY06
Write Off Submission

Dept	Customer Name	Cust #	Invoice #	Invoice Date	Original Amount	Open Amount	Sent to CCS Collections	Acct Closed by CCS	CCS Reason Acct Closed	Explanation
fire	Shaw's Supermarket	8425	9862231	1/4/2005	480.00	16.98	05/16/05	05/19/06	AEX	All efforts exhausted after full service recovery program. Unable to collect total portion of collection fees.
fire	Neon Communications	10160	9868757	8/24/2005	100.00	100.00	01/20/06	05/31/06	USA	Invalid phone number and address: responsible party could not be located.
hwy	Jason S Cole	8734	9867264	7/11/2005	97.50	97.50	11/22/05	04/14/06	AEX	All efforts exhausted after full service recovery program.
hwy	James J. Gagnon	10060	9867139	06/30/05	102.00	102.00	11/22/05	04/29/06	AEX	All efforts exhausted after full service recovery program.
traffic	Sebatiao Do Carmo	9513	9862795	1/20/2005	45.00	45.00	02/24/06	05/26/06	USA	Invalid phone number and address: responsible party could not be located.
traffic	Sebatiao Do Carmo	9513	9863619	2/22/2005	45.00	45.00	02/24/06	05/26/06	USA	Invalid phone number and address: responsible party could not be located.
traffic	Sebatiao Do Carmo	9513	9864350	3/22/2005	45.00	45.00	02/24/06	05/26/06	USA	Invalid phone number and address: responsible party could not be located.
traffic	Sebatiao Do Carmo	9513	9865131	4/20/2005	45.00	45.00	02/24/06	05/26/06	USA	Invalid phone number and address: responsible party could not be located.
traffic	Dennis Campbell	4817	9804865	7/28/1998	1,812.19	67.56	07/28/00	04/08/06	SIF	Unable to collect remainder of collection fee.

\$564.04

AEX - All Efforts Exhausted
SIF - Settled in Full
USA - Unserviceable Address/Invalid Phone Number

M

N

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Accounts, Enrollment and Revenue Administration, respectfully advises, after due and careful consideration that it has accepted the City's Monthly Financial Statements (unaudited) for the eleven months ended May 31, 2006 for FY2006 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,

L. R. Berman

Clerk of Committee

○

To the Board of Mayor and Aldermen of the City of Manchester:

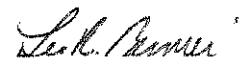
The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the following Finance Department reports:

- a) department legend;
- b) open invoice report over 90 days by fund;
- c) open invoice report all invoices for interdepartmental billings only;
- d) open invoice report all invoices due from the School Department only;
- e) listing of invoices submitted to City Solicitor for legal determination; and
- f) accounts receivable summary.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

P

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully advises, after due and careful consideration, that it has approved Ordinance:

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

Chapter 94: Noise Regulations

Section

General Provisions

- 94.01 Purpose
- 94.02 Scope
- 94.03 Definitions
- 94.04 Enforcement
- 94.05 Measurements
- 94.06 Submission of Fees

Minimum Standards

- 94.10 Noise Levels
- 94.11 Exemptions
- 94.20 Motor Vehicles

Administration and Enforcement

- 94.40 Noise Variance Board
- 94.42 Application Procedures
- 94.43 Prohibited Conduct
- 94.44 Penalties

Statutory reference:

Authority of city to regulate noise, see R.S.A. 47:17 II & XV.

GENERAL PROVISIONS

§ 94.01 PURPOSE.

It is the policy of the Board of Mayor and Aldermen of the City of Manchester to protect, preserve and promote the health, safety, welfare, peace and quiet of the citizens of Manchester through the reduction, control and prevention of noise. It is the intent of this ordinance to establish standards that will eliminate and reduce unnecessary environmental noise throughout the community which may be physically harmful or otherwise detrimental to individuals and the community in the enjoyment of life, property and the conduct of business.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

§ 94.02 SCOPE.

This ordinance shall only apply to noise originating within the city limits of the City of Manchester, NH that is traveling in the atmosphere or environment. This ordinance shall apply to all bodies of water within the city limits of the City of Manchester, irrespectively if they flow through or are contained partially or entirely within the city limits.

§ 94.03 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AMBIENT SOUND LEVEL. The A-weighted sound level of all sound associated with a given environment, exceeded ninety percent (90%) of the time measured and being a composite of sounds from many sources during the period of observation while the sound from the noise source of interest is not present.

ANSI. The American National Standards Institute.

ANSI S SERIES STANDARDS. Those ANSI standards relevant to sound, acoustics, shock, vibration and bioacoustics.

A-WEIGHTED SOUND PRESSURE. The sound pressure level as measured with a sound level meter using the A-weighting network. The standard notation is dB(A) or dBA.

COMMERCIAL POWER EQUIPMENT. Any equipment or device rated at more than five horsepower and used for building repairs or property maintenance excluding snow removal equipment.

COMMERCIAL PREMISES. Any land parcel with buildings where the use of less than fifty percent (50%) of the gross floor area meets the definition of residential premises. Includes locations of various scale operating as retail, automotive use, restaurant, governmental, financial, entertainment and cultural and shopping centers as identified pursuant to the Manchester Zoning Ordinance.

CONSTRUCTION EQUIPMENT. Any device or mechanical apparatus operated by fuel, electric, or pneumatic power in the excavation, construction, repair, or demolition of any building, structure, land parcel, street, alley, waterway, or appurtenance thereto.

DECIBEL. A logarithmic unit of measure often used in measuring magnitudes of sound. The symbol is dB.

DOMESTIC POWER EQUIPMENT. Any equipment or device rated at five (5) horsepower or less and used for building repairs or grounds maintenance excluding snow removal equipment.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

EMERGENCY VEHICLE. An authorized motor vehicle that has sound warning devices such as whistles, sirens and bells which can lawfully be used when responding to an emergency, during a police activity or which is required by state or federal regulations (i.e., reverse alarms).

EMERGENCY WORK. An activity made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from exposure to imminent danger. It includes work by private or public entities for providing or restoring immediately necessary service as well as all situations deemed necessary by the city.

EMERGENCY POWER GENERATOR. The equipment used to generate electrical power in the event of an interruption, malfunction or failure of the electrical power supplied by the service provider.

GROSS FLOOR AREA. The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

INDUSTRIAL PREMISES. Any premise where the production of goods, materials or knowledge takes place. May include locations for manufacturing, warehousing, research and development, distribution or other selected offices as identified pursuant to the Manchester Zoning Ordinance.

MOTOR VEHICLE. Any vehicle that is self-propelled, used primarily for transporting persons or property upon public roadways and required to be licensed according to motor vehicle registration laws. The term motor vehicle shall not include: aircraft, watercraft, motor vehicles operated on private property for recreational or amusement purposes, vehicles used exclusively on stationary rails, or specialized utility vehicles normally used only on private property in the daily course of business such as forklifts, and pallet movers.

NOISE. Any sound that exceeds the standards set forth in this chapter, annoys or disturbs a reasonable person of normal sensibilities, or causes or tends to cause any adverse psychological or physiological effect on humans.

NOISE VARIANCE. Specific relief from the terms of this chapter as granted by the Noise Variance Board.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

PERSON. An individual, corporation, partnership, association, organization or similar entity.

PREMISES. Any building, structure, land, utility or portion thereof, including all appurtenances, and shall also include yards, lots, courts, inner yards and real properties without buildings or improvements, owned or controlled by a person.

PROPERTY LINE. The real or imaginary line and its vertical extension which separates real property owned or controlled by any person from contiguous real property owned or controlled by another person. The vertical and horizontal boundaries of a dwelling unit in a multi-dwelling unit building, condominium, or townhouse complex shall not be considered property lines separating one (1) property from another.

PUBLIC PREMISES. All real property including appurtenances thereon which is owned or controlled by any governmental entity and shall include streets, alleys, parks and waterways.

RECEPTOR PREMISES. The premises (residential, commercial, industrial, or public) as listed in Table A which is receiving noise emitted from the source premises after crossing one or more property lines. Also referred to as the receiving premise.

RESIDENTIAL PREMISES. Any premises where single or multiple dwelling units exist and shall include primary schools, churches, nursing homes and similar institutional facilities including any commercial premises where the use of more than fifty percent (50%) of the gross floor area meets this definition of residential premise.

SOUND. An oscillation in pressure, stress, particle displacement and particle velocity which induces auditory sensation.

SOUND LEVEL METER. An apparatus for the measurement of sound levels. The sound level meter shall be of a design and have the characteristics of a Type 2 or better instrument as established by the American National Standards Institute, publication S1.4 entitled Specification for Sound Level Meters.

SOUND PRESSURE LEVEL. Twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of a sound to the reference pressure of twenty (20) microneutons per square meter (20×10^{-6} Newtons/meter²) and is expressed in decibels (dB).

SOURCE PREMISES. The premises (residential, commercial, industrial, or public) as listed in Table A that is emitting noise that is crossing one or more property lines and impacting the receptor premises.

SNOW REMOVAL EQUIPMENT. Any equipment used for removing snow from land or building surfaces and shall include snowplows, snow blowers, snow sweepers, and snow shovels.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

TABLE A. The reference table contained in § 94.10 of this chapter that details the maximum allowable noise levels for all premises in the City of Manchester, including a time of day allowance. Measurements of noise levels are made at the property line of the receiving premises.

TABLE B. The reference table contained in § 94.20 of this chapter that details the maximum allowable noise levels for all motor vehicles operating in the City of Manchester during any time of the day or night. Measurements of noise levels are made twenty-five (25) feet from the source motor vehicle.

TREE MAINTENANCE EQUIPMENT. Any equipment used in trimming or removing trees only and shall not be limited to chainsaws, chippers and stump removers.

§ 94.04 ENFORCEMENT.

The Chief of Police or his designee shall have and exercise the power to enforce the provisions of this title. Licenses or permits issued pursuant to this title shall also be enforced by a designee of the Office of the City Clerk. Enforcement shall include entering areas of public access or operation, free of charge, to ensure compliance and issuance of citations for any violations with penalties to be assessed as provided in §94.44 of this title.

§ 94.05 MEASUREMENTS.

For the purposes of this ordinance, the measurement of all physical parameters or entities associated with acoustics, sound, noise, or vibration shall comply with the most recent S series standards of ANSI, American National Standards Institute, Standards for Sound, Acoustics, Shock and Vibration, Bioacoustics. Furthermore, all physical parameters, or entities determined or calculated from such measurements relevant to acoustics, shock, vibration or bioacoustics shall be determined or calculated in accordance to the most recent S series standards of ANSI where so applicable.

§94.06 SUBMISSION OF FEES.

Fees for permits, applications and licenses shall be submitted with the applications under this chapter and shall be considered nonrefundable.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

MINIMUM STANDARDS

§ 94.10 NOISE LEVELS.

Noise levels shall be measured at any point along the property line or within the property line of the receiving premises to determine compliance of the source. When it is determined that the ambient sound level at the receiving premises equals or exceeds the maximum allowable sound pressure level specified in Table A, then the ambient sound level is the standard which cannot be exceeded by the source. The following table identifies allowable noise levels within various areas throughout the City:

TABLE A

Maximum Allowable Noise Levels (in dBA) with Time of Day Allowance

Source Premises	Receptor Premises							
	Residential		Commercial		Industrial		Public	
	7am- 10pm	10pm-- 7am	7am-- 10pm	10pm-- 7am	7am-- 10pm	10pm-- 7am	7am-- 10pm	10pm-- 7am
Residential	55	50	65	60	80	75	75	70
Commercial	55 [60]	50 [60]	65	60	80	75	75	70
Industrial	55 [65]	50 [65]	65	60	80	75	75	70
Public	55 [60]	50 [60]	65	60	80	75	75	70
Body of Water	55	50	65	60	80	75	75	70
<i>(The numbers in brackets are the allowable limits that comply with § 94.11 (N) Exemptions.)</i>								

§ 94.11 EXEMPTIONS.

The maximum permissible sound pressure levels as specified in Table A shall not apply to sounds emitted from:

- (A) Any bell or chime from any building clock, school or church, not including any amplified bell or chime sounds emitted from loudspeakers.
- (B) Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in case of fire, collision, civil defense, police activity or imminent danger.
- (C) Any aircraft in flight subject to federal law regarding noise control.
- (D) Any ground-based aircraft activity including testing or engine run-up noise.
- (E) Any motor vehicles designed for and operated on public streets, alleys, highways or freeways that are regulated by Table B.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

(F) Any tree maintenance equipment operated upon a residential, commercial, industrial or public premises provided that operation of tree maintenance equipment between the hours of 9:00 p.m. and 7:00 a.m. shall not exceed the maximum noise levels as specified in Table A.

(G) Any construction equipment or activities in compliance with § 94.43 (F) of this ordinance.

(H) Any domestic power equipment operated upon any residential, commercial, industrial or public premises between 7:00 a.m. and 10:00 p.m. provided that such equipment does not exceed a sound pressure level of eighty (80) dBA when measured at the property line of the receiving premise.

(I) Any commercial power equipment operated upon any residential, commercial, industrial or public premises between 7:00 a.m. and 10:00 p.m. provided that such equipment does not exceed a sound pressure level of eighty-eight (88) dBA when measured at the property line of the receiving premise.

(J) The musical instruments of any school marching band while performing at any sporting event or marching band competition, and the musical instruments of any school marching band practicing on school grounds between the hours of 9:00 a.m. and 8:00 p.m. that do not exceed sixty-five (65) dBA when measured at the property line of the receiving residential premise.

(K) Following a snowstorm, snow removal equipment operated on any premises between the hours of 5:00 a.m. and 10:00 p.m. provided that such equipment does not exceed the sound pressure limits for commercial power equipment (eighty-eight (88) dBA) or domestic power equipment (eighty (80) dBA) when measured at the property line of the receiving premise.

(L) Any power generator providing emergency electrical power at any hospital, health clinic, nursing home or similar facility where the loss of electrical power creates an immediate risk to the health, safety or welfare of any person, or at any premises where such equipment is required by the Manchester Fire Department. Additionally, the noise emitted during the routine testing of emergency electrical power generators shall not exceed eighty-eight (88) dBA when measured at the property line of the receiving premise. Routine testing shall not exceed one (1) hour in any one-week period, or two (2) hours in any six-week period and shall be confined to the hours of 10:00 a.m. to 4:00 p.m. or as otherwise approved.

(M) Any industrial, commercial, or public premises exceeding the standards of Table A at a receiving residential premises when the zoning of the receiving residential premises does not allow residential use (residential use is nonconforming). However, in such a situation, the noise emitted by the industrial, commercial, or public premises shall not exceed the standards for receiving industrial premises.

P

City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

(N) Any industrial, commercial, or public premises exceeding the standards of Table A at a receiving residential premises when such industrial, commercial, or public premises and their emitted noise level were in existence prior to the existence of the residential premises, provided however that the existing industrial premises does not exceed sixty-five (65) dBA and the commercial premises do not exceed sixty (60) dBA when measured at the receiving residential premises.

(O) Any water craft or noise emanating from or on a body of water between the hours of 7:00 a.m. and 10:00 p.m. provided that such noise does not exceed a sound pressure level of eighty-eight (88) dBA when measured at the property line of the receiving property and further provided that between 10:00 p.m. and 7:00 a.m. such equipment does not exceed the maximum sound pressure levels as specified in Table A.

§ 94.20 MOTOR VEHICLES.

All noise levels from motor vehicles shall be measured at twenty-five (25) feet from the source vehicle to determine compliance. Except where preempted by state law the standards in Table B shall apply to all noise emitted from motor vehicles including any and all equipment thereon, under any condition of acceleration, deceleration, idle, grade or load and whether or not in motion.

TABLE B

Maximum Allowable Noise Levels for Motor Vehicles

Type of Vehicle	Time Period	Maximum Allowable Sound Pressure Level measured in dBA	Measurement Distance from Motor Vehicle
Motor vehicles weighing less than 10,000 pounds, manufacturers gross vehicle weight	At any time	80	25 feet

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

LICENSE REQUIREMENTS

ADMINISTRATION AND ENFORCEMENT

§ 94.40 NOISE VARIANCE BOARD.

It is recognized that in initiating community noise limits, any number of unanticipated situations may occur. Although the City is primarily concerned with protecting, preserving and promoting the health, safety, welfare and peace and quiet of the citizens of Manchester, the City realizes that there may be preexisting conditions that need an extended period of time to conform to the noise limits imposed by this ordinance. The City also recognizes that events or incidents can occur where there was every good faith expectation of complying with the noise limits imposed by this ordinance, but for some unforeseen circumstance, those events or incidents failed to comply.

This section hereby establishes a Noise Variance Board in which members shall approve or deny variances to this chapter, hereinafter referred to as a noise variance. The board shall consist of the Committee on Administration of the Board of Mayor and Aldermen.

§ 94.42 APPLICATION PROCEDURES.

Applications must be submitted to the Office of the City Clerk. General guidelines may be considered in the issuance of a noise variance. These guidelines are not all inclusive and other criteria may be established that is reasonable and prudent to protect the public or limit the anticipated detrimental impact of noise upon the community. The guidelines are as follows:

(A) Variances shall be granted prior to or in anticipation of an event.

(B) The City reserves the right to grant a variance after the fact if it is deemed by the Noise Variance Board to be in the public good, if the Board believes that an honest, fair and reasonable attempt was made to comply with the noise limits imposed by this ordinance, or the failure to comply was due to some unforeseen circumstance.

(C) A variance for the continuation of a non-complying activity may be granted after a reasonable attempt was made to comply and may contain such stipulations as the Board may deem necessary to protect the public that may include, but is not limited to:

1. Regulation of times;
2. The erection of noise barriers, shielding or other noise abatement; and
3. A demonstration of compliance progress.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

(D) The applicant bears the burden of presenting evidence sufficient to allow the Noise Variance Board to reach conclusions and make findings to support the authorization of a variance.

(E) The Board may require a public hearing on a certain matter to permit abutting landowners to present written or oral testimony for consideration of granting or denying a variance.

(F) The Board may request review and recommendations from various City departments including the Building Commissioner, Public Health Director, Director of Planning, Chief of Police, City Clerk or their designees. Testimony of department representatives may be requested at a variance hearing.

(G) Final decisions shall be made available within seventy-two (72) hours after a vote on an application. A written decision will be mailed to the applicant with copies made available to the departments of Health, Police and City Clerk.

(H) In granting a variance, the Board may impose such conditions or stipulations as it deems necessary and proper in order to preserve the intent of this chapter.

(I) All decisions by the Noise Variance Board are final and may not be appealed to any other municipal board, committee or commission.

(J) As community noise is a public health concern, noise variances shall only be granted for a reasonable period of time, not more than two (2) years.

(K) The renewal of a variance after two (2) years requires the consent of the Board of Mayor and Aldermen.

(L) Variances shall not be granted for continued or sustained violations that may be physically injurious to one or more persons as determined by the Public Health Director.

(M) Once an application has been denied by the Noise Variance Board, the same application may only be considered if the Board finds that the application is materially different in nature and degree from the prior application.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 94.43 PROHIBITED CONDUCT.

The following conduct is prohibited:

- (A) Provide any false or inaccurate information to any City board, committee, commission or any employee of the City of Manchester, in an attempt to deceive or otherwise avoid compliance with this ordinance.
- (B) Hinder, obstruct, delay, resist, interfere, or attempt to interfere with any authorized person while in the performance of their duties under this ordinance.
- (C) Emit or cause to be emitted any noise which leaves the premises on which it originates, crosses a property line, and enters onto any other premises in excess of the sound pressure levels during the time periods as specified in Table A, without a variance.
- (D) Emit or cause to be emitted any noise within the public premises in excess of the limits defined in Table A without a variance.
- (E) Reserved
- (F) Operate any construction equipment or conduct any construction activities between the hours of 9:00 p.m. and 7:00 a.m. that exceed the noise limits of Table A. The City may grant variances from the construction restrictions if it can be demonstrated that a construction project will interfere with traffic if completed during daytime hours.
- (G) Operate any trash compacting mechanism on any motor vehicle, or engage in any trash, rubbish or garbage collection activity between the hours of 10:00 p.m. and 7:00 a.m., when such activity takes place on any premises adjacent to a residential premises.
- (H) Operate or permit the operation of any motor vehicle or combination of motor vehicles at any time or place when such operation exceeds the noise limits for the category of motor vehicle and for the designated time period as specified in Table B.
- (I) Sound any horn or other audible signal device of an automobile, motorcycle, streetcar, or other vehicle unless it is necessary as a warning to prevent or avoid a traffic accident or reasonably inform or warn of a vehicle presence.
- (J) Modify or change the exhaust muffler, air intake muffler or any other sound reducing device in such a manner that the noise emitted from the motor vehicle exceeds the sound pressure levels as established in Table B of § 94.20 except where permitted by state law.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(K) The noise limits in Table A and Table B notwithstanding, no person shall:

- 1) Make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, within the limits of the city.
- 2) Use, operate or permit to be played, used or operated of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the inhabitants of a neighboring premises. The operation of any such set, instrument, phonograph, machine or device by a commercial establishment between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the lot line, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- 3) Use, operate, or permit to be played, used, or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure in such a manner that the occupants of a neighboring premises disturbed or annoyed.
- 4) Yell, shout, hoot, whistle, or sing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in neighboring premises.
- 5) Keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any person in a neighboring premises.
- 6) Use any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- 7) Transport rails, pillars, or columns of iron, steel or other material, over and along streets and other public places upon carts, drays, cars, trucks, or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

§ 94.44 PENALTIES.

(A) Each act of violation of § 94.43 Prohibited Conduct and every day upon which any such violation shall occur in one (1) calendar year shall constitute a separate offense and follow the penalty schedule below:

(1) *FIRST OFFENSE:*

~~The offender shall be informed of the noise ordinance and corrective measures to achieve compliance. This shall constitute an official warning and should be accomplished in writing if possible.~~

A citation shall be issued to the offender in the amount of one hundred dollars (\$100.00).

(2) *SECOND OFFENSE:*

A citation shall be issued to the offender in the amount of two hundred and fifty dollars (\$250.00).

(3) *THIRD OFFENSE:*

A citation shall be issued to the offender in the amount of five hundred dollars (\$500.00).

(4) *FOURTH AND SUBSEQUENT OFFENSES:*

A citation shall be issued to the offender in the amount of one thousand dollars (\$1000.00).

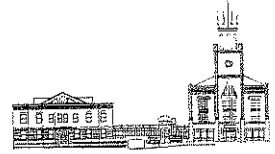
(B) If the court finds for the City, the City shall recover its costs of suit including reasonable expert fees, attorney fees and necessary investigate costs.

This ordinance shall take effect upon its passage.



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk


Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

MEMORANDUM

TO: Committee on Administration/Information Systems
Ald. O'Neil, Forest, Smith, Devries, Lopez

FROM: Matthew Normand 
Deputy Clerk

DATE: May 31, 2006

RE: Amendment to the Noise Ordinance

The police department has raised a concern with the recent noise ordinance passed on April 18, 2006. The penalties associated with Chapter 94: Noise Regulations, as currently written, were intended to be assigned to section 111.75 Noise Activities. The correct penalty for a first offense violation of the noise ordinance is one hundred dollars (\$100.00). The attached ordinance corrects this oversight as noted on the final page.

If you have any questions or concerns prior to your meeting, you may reach me at 624-6348.
Thank you.

Q

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance amendments:

“Amending Sections 33.024, 33.025 and 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025 and 33.026 (Canine Handler Supervisor) of the Code of Ordinances of the City of Manchester.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard voted yea; Alderman Gatsas abstained.)

Respectfully submitted,



Clerk of Committee

Q

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

“Amending Sections 33.024, 33.025 and 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester.”

providing for the establishment of a new class specification, Airport Financial Manager, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

At a meeting of the Board of Mayor and Aldermen
held June 6, 2006 on a motion of Ald. O'Neil
duly seconded by Pinard the report
of the Committee was accepted and its recommendations
(adopted) ~~(denied)~~

Respectfully submitted,

L. D. Bernier

Clerk of Committee

L. D. Bernier
City Clerk

City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926, Grade 24

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Establish Airport Financial Manager, Class Code 9926, Grade 24
exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

Q Proposed



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Airport Financial Manager
Class Code Number	9926-24

General Statement of Duties

Manages Airport revenue, bond covenant compliance and accounting interface with City systems; plans, coordinates and supervises Airport accounting personnel; performs other related work as required.

Distinguishing Features of the Class

The principle functions of an employee in this class are to ensure that Airport revenue is managed in the most effective manner and to ensure that all Airport bond covenant compliance and Trustee requirements are met in a timely fashion. Work is performed under the supervision and direction of the Assistant Airport Director for Finance and Administration and the Airport Director, but considerable leeway is granted for the exercise of independent judgment and initiative. Supervision is exercised over the work of all financial staff employees and related personnel. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other city employees, outside auditors, business organizations and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work (illustrative only)

- Develops and manages the implementation of fiscal control measures and balancing mechanisms for the Airport's financial operations, including revenue analysis, cash balance determinations and weekly, monthly and annual reconciliation's;
- Researches and implements bond compliance measures for applicable statutory or regulatory requirements affecting cash flow or related public fiscal issues;

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- Monitors the balancing of daily revenue, including the responsibility for all funds received;
- Handles all Airport responsibilities for long term debt;
- Processes timely transfers and principle interest payments for all of the Airport's long term debt instruments;
- Receives and evaluates Airport related competitive offerings as appropriate and recommends beneficial opportunities;
- Supervises, trains and evaluates employees involved in the Airport's financial operations, including direct supervision to ensure compliance with all applicable laws, regulations and general accounting standards;
- Assists the Airport Director and the Assistant Airport Director with the compilation and preparation of the Airport's Annual Audit Report and the accompanying Management Discussion and Analysis;
- Plays a major role in the preparation of the Airport's annual budget;
- Utilizes and manipulates the Airport's rates and charges financial model to assure optimum annual airlines rates and charges preparation; makes recommendations on same;
- Manages and maintains the Airport's Passenger Facility Charge (PFC) application and continuing requirements and collection process;
- Closely coordinates with the Assistant Airport Director for engineering and planning on all capital improvement projects; reviews and makes recommendations on the financial impacts of same;
- Closely coordinates with the Assistant Airport Director for Properties and Contract Management on all matters regarding the rental car Customer Facility Charge (CPC) and the accounting of same;
- Liaison with FAA regional and national personnel on all required financial compliance matters;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate superiors and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principle practices and new developments in assigned work areas;

Required Knowledge, Skills and Abilities
(at time of appointment)

- Comprehensive knowledge of revenue management processes;
- Comprehensive knowledge of financial analysis and reporting;
- Comprehensive knowledge of Generally Accepted Accounting Principles;
- Comprehensive knowledge of data processing technology as applied to financial and accounting functions;
- Comprehensive knowledge of financial office procedures and practices;
- Comprehensive knowledge of accounts payable, cost accounting and payroll processes;

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- Comprehensive knowledge of FAA Pt.158 Passenger Facility Charge processes and procedures;
- Comprehensive knowledge of FAA financial reporting processes and procedures as they apply to airport revenue;
- Comprehensive knowledge of FAA Airport Improvement Program processes and procedures;
- Comprehensive knowledge of Airport/Airline Rates and Charges processes and procedures;
- Comprehensive knowledge of the Airport and the City budgeting processes and procedures;
- Thorough knowledge of current principles, practices and ethics used in receiving, disbursing, depositing and securing large amounts of public funds;
- Thorough knowledge of balance sheet and income statement transactions;
- Thorough knowledge of the principles and practices of personnel administration within the public sector;
- Ability to interpret accounting reports and records and to analyze accounting data for control and reporting purposes;
- Ability to handle confidential and administrative information with tact and discretion;
- Ability to supervise, train and evaluate the work of others;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelor's Degree in Public Administration, Accounting, Finance or a related field; and
- Five years of experience in Accounting, including Airport and Municipal accounting, preferably with a CPA accreditation.

Q

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

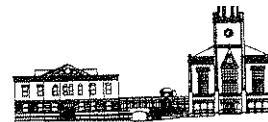
Approved by: _____ Date: _____



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



May 4, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Request for New Position/Class Spec. Airport

Dear Alderman Gatsas and Members of the Committee:

On behalf of Kevin Dillon, Airport Director, I am requesting the establishment of a new position and a new class specification. The new position/class specification that is proposed is an Airport Financial Manager, salary grade 24.

Mr. Dillon has studied his financial organization within the Airport. He has concluded that there needs to be a change in the duties and responsibilities of the Business Service Officer which will create a vacuum in the Financial Division. Specifically, if you will look at the proposed organization chart, there is a significant need for a high level financial person in the Property Management and Contracts Division. Therefore, Mr. Dillon would like your approval to move the Business Service Officer position to the Property Management Division. There is a need for a higher level financial position to include in depth knowledge of FAA financial requirements in the Division of Finance and Administration. As such, Mr. Dillon is proposing a new class specification which would meet the higher level of knowledge and experience that is much needed at the Airport to fulfill those requirements as well as to manage the day to day financial operations of the Airport.

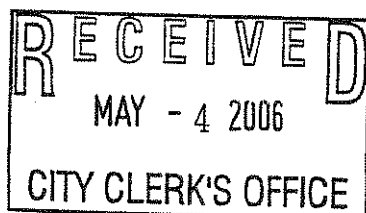
I am attaching a proposed class specification for your review and information. I am also enclosing a copy of a revised organizational chart.

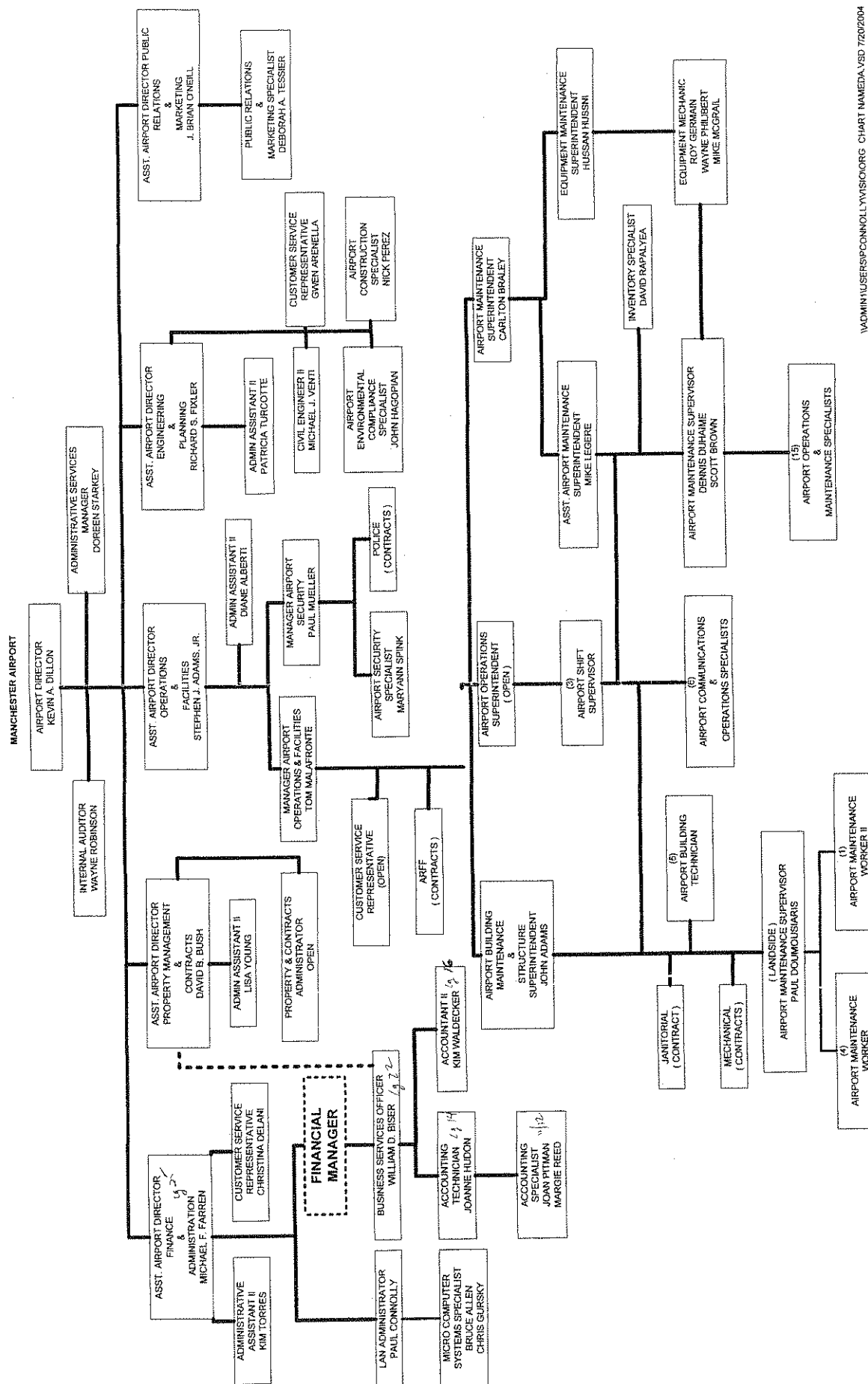
Your favorable approval of these requests would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachments





Q

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Canine Handler Supervisor) of the Code of Ordinances of the City of Manchester."

providing for the establishment of a new class specification, Canine Handler Supervisor, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

at a meeting of the Board of Mayor and Aldermen

held June 6, 2006 on a motion of Ald. O'Neil

and seconded by Ald. Pinard the report

of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~

L. M. Bernier
City Clerk

Respectfully submitted,

L. M. Bernier

Clerk of Committee

City of Manchester
New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Canine Handler Supervisor) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Establish new classification, Canine Handler Supervisor

SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Establish Canine Handler Supervisor, Grade 17, non-exempt

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Establish new class specification, Class Code 9152, Canine Handler Supervisor (See attached).

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

Q Proposed



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Canine Handler Supervisor
Class Code Number	9152-17

General Statement of Duties

Responsible for supervising Canine Handlers and carries out administrative functions and record keeping in relation to the Canine Program.

Patrols airport facilities in the secure, sterile, and non-secure areas to promptly respond to threats that affect public safety or air carrier operations. Conducts canine training and/or patrols within the view of the public to provide a noticeable deterrent. Performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to **serve as the lead worker for and to participate with Canine Handlers in** conducting emergency and routine security sweeps for the detection or deterrence of explosive threats in the airport environment. The work is performed under the supervision **and direction** of the Airport Security Manager **but leeway is granted for the exercise of independent judgment and initiative.** **Ensures and participates in the coordination** and conducts **of** regular canine training. Performs daily canine care and ensures the health and welfare of the canine in order to optimize team performance. This highly specialized class is a working **supervisory** level civilian canine handler position inspecting airport facilities for the Airport, air carriers, and tenants. This position requires specialty training as provided by the Transportation Security Administration (TSA) in the management of canines dedicated to explosives detection. This position is responsible for the ongoing and continuous training and care of the assigned dog **as well as ensuring care of team dogs.** The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other staff members, government agencies, law enforcement officials, Airport

tenants, other City employees and the public. The principal duties of this class are performed in both an indoor and outdoor work environment, often in extreme weather conditions. An employee in this class may also be required to handle and/or manage hazardous waste and if so, appropriate training will be provided annually.

**Examples of Essential Work
(illustrative only)**

- Supervises and performs a wide variety of tasks involved with the operation of a canine team in an airport setting;
- Monitors activities of the canine program to ensure safety, security and compliance with airport, state and federal regulations;
- Ensures that various reporting, training and response requirements of the program are met;
- Ensures that team members properly store and maintain training materials;
- Ensures that pertinent documentation is prepared and appropriate records are maintained;
- Ensures that proper scheduling is maintained;
- Maintains a presence on a rotating basis in operational areas of the airport during peak and non-peak hours.
- Maintains liaison with Airport Operations, Airport Law Enforcement Unit and Airport Fire Department as well as surrounding Law Enforcement Agencies and Canine Teams.
- Responsible for ongoing canine training as mandated by the TSA to include wide and narrow body aircraft, airline terminal and luggage, freight, warehouse and vehicles.
- Responsible for care and feeding of the canine, including maintaining the kennels in a sanitary condition.
- Maintains necessary training records as defined by the TSA. Operates an Airport Vehicle equipped with a kennel to transport the canine to various work sites and home.
- Uses explosive detection canines to inspect facilities, passengers, baggage, etc. for explosives.
- Enforces Airport security rules and regulations;
- Serves as a member of Airport emergency response team;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Writes reports as required;
- Performs other directly related duties consistent with the role and function of the classification.

**Required Knowledge, Skills and Abilities
(at time of appointment)**

Knowledge of:

- Techniques for dealing with the public and employees, in person, often where relations may be confrontational or strained;
- **Thorough knowledge of leadership and team building principles;**
- Record keeping principles and practices;
- Computer applications related to the work;

Skill in:

- Expressing verbal and physical enthusiasm to motivate the canine;
- Learning and applying information regarding airport procedures, topography, operations and facilities;
- Working without close supervision in both emergency and standard work situations;
- Assessing and prioritizing situations and determining appropriate response;
- Maintaining accurate records of training performed;
- Using initiative and independent judgment within established procedural guidelines;
- Contributing effectively to the accomplishment of team or work unit goals, objectives and activities;
- Speaking English effectively to communicate in person, on the radio or over the telephone;
- Accurately perceiving, soundly reasoning and correctly judging situations;
- Taking charge of and directing others in emergencies or other dangerous incidents;
- Writing accurate reports.
- Ability to learn and understand safe handling of explosives used in canine training according to TSA mandates;
- Ability to understand and follow principles and practices of canine handling techniques, motivation, care and feeding;
- Ability to learn and understand applicable laws, codes and regulations including Airport Security requirements;
- Ability to understand and follow safety principles, practices and equipment related to the work;
- Ability to train and handle a canine for the purposes of explosive detection;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks;
- Ability to learn and apply Airport security and safety rules and regulations;
- Ability to discern presence of hazards and/or potentially dangerous situations;

Q

Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- One year of fulltime work experience related to the care, handling and training of working canine used in security/enforcement; or
- Associate's Degree in Criminal Justice or some law enforcement training preferred;
- Experience in an airport or security setting is desirable;
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- Must successfully complete the TSA Explosives Detection Handler Course during probation;
- Requires a three-year commitment upon successful completion of the course
- Must possess a valid New Hampshire Driver's License;
- Annual certification by the TSA Explosives Detection Handler program;
- Work extended shifts, which may include weekends and holidays;
- Take calls and be able to respond to the airport within a maximum of 45 minutes;
- On call status

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to understand department and safety rules and regulations and work around high traffic areas;
- Capable of meeting all physical requirements specified in TSA guidelines for Explosive Detection Handler program;
- Must be able to stand and walk for extended periods of time; must be able to climb stairs.
- Must be able to care for the canine 24 hours a day, **at work and in home environment**;
- Work inside in noisy environments, and work outside in all weather conditions.
- Work with explosives;
- Exposure to unknown and potentially dangerous situations.

Approved by: _____ Date: _____



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101-4000

Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065

February 8, 2006



Alderman Ted Gatsas, Chairperson
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Request for Reclassification & New Class Specification

Dear Alderman Gatsas and Members of the Committee:

On December 19, 2005, the Board of Mayor and Aldermen approved the establishment of three new positions at the Airport. The positions are titled Canine Handlers. The salary grade for this classification is sixteen (16).

Since that approval, Kevin Dillon, Airport Director, has requested that one of the new positions be reclassified upward in order to have a lead worker. As such, Mr. Dillon is requesting the establishment of a Canine Handler Supervisor class specification. The salary grade for this new classification is recommended to be at a salary grade seventeen (17).

The base salary for a Canine Handler, salary grade sixteen is \$33,895. The base salary for a Canine Handler Supervisor, salary grade seventeen is \$36,268.

I am attaching a copy of the new proposed class specification for a Canine Handler Supervisor for your review and approval.

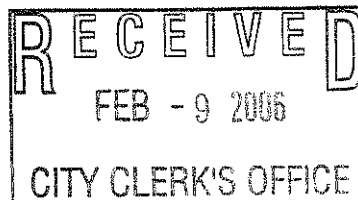
Your favorable approval of this request would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resource Director

Attachment

Cc: Kevin Dillon, Director



R

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that ordinance amendments:

“Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers.”

“Amending Chapter 1 Administration of the Building Code of the City of Manchester providing for increased fees.”

“Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code of Ordinances of the City of Manchester providing for increased fees.”

be referred to a public hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall.

(Aldermen Duval, Lopez, Garrity and Pinard voted yea; Alderman Gatsas abstained.)

Respectfully submitted,



Clerk of Committee



Leon L. LaFreniere
Building Commissioner

CITY OF MANCHESTER DEPARTMENT OF BUILDINGS

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6475
Fax: (603) 624-6324



Matthew M. Sink
Deputy Bldg. Commissioner

Date: May 25, 2006
To: Leo R. Bernier, City Clerk
From: Leon L. LaFreniere, Building Commissioner
Subject: Proposed Changes to Permit Fee Schedules, Plumbing & Electrical Codes

Please find attached proposed building code changes designed to modify existing permit fee schedules, as well as to update the adopted editions of the Plumbing and Electrical codes currently enforced. I would request that these proposed changes be placed on the upcoming Board of Mayor and Aldermen agenda for their consideration and referral to appropriate committees and the setting of a public hearing.

Thank you for your assistance with this matter.

IN BOARD OF MAYOR & ALDERMEN

DATE: June 6, 2006

ON MOTION OF ALD. O'Neil

SECONDED BY ALD. Garrity

VOTED TO refer to the Committee on
Bills on Second Reading.

Leo R. Bernier
CITY CLERK

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers."

BE IT ORDAINED, By the Board of Mayor and Alderman of the City of Manchester,
as follows:

I. Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers attached and included herein and as further amended as follows:

SECTION 1. Certain documents, three (3) copies of each which are on file in the office of the City Clerk of the City of Manchester being marked and designated as the *International Plumbing Code, 2000 Edition*, as published by the International Code Council, Inc., be and is hereby adopted as the *Plumbing Code* of the City of Manchester in the State of New Hampshire and hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in Section 2 of this Ordinance.

SECTION 2. The following sections are hereby revised as follows:
(Note: Deleted text shows as struck through; new text shown italicized.)

Section 151.01

The following amendments shall be made part of the Plumbing Code:

2000 International Plumbing Code

Section 312.3 Drainage and Vent Air Test. Amend by adding to the second sentence:
"This pressure shall be held for a test period of at least 15 minutes *"by using a low pressure (0-5 lbs.) gauge"*."

Section 419 Urinals. Amend by adding a new subsection:
"419.4 Public and Employee Facilities" "Urinals without visible water trap seals shall not be permitted in public or employee restrooms."

Section 501.2 Water Heater as Space Heaters. Amend the first sentence to read as follows: "Where a combination potable water heating and space heating system requires water for space heating at temperatures higher than 140° F (60° C), a tempering valve shall be provided to limit the water supplied to the potable hot water distribution system to a temperature of ~~140° F (60° C)~~ 130° F (54.4° C) maximum."

K

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers."

BE IT ORDAINED, By the Board of Mayor and Alderman of the City of Manchester,
as follows:

Section 501.6 Water Temperature Control in Piping from Tankless. Amend the first sentence to read as follows:

The temperature of water from tankless water heaters shall be a maximum of ~~140° F (60° C)~~ *130° F (54.4 C)* when intended for domestic uses *and shall be accomplished with the use of a mixing valve conforming to ASSE 1017.*

Section 501.8 Temperature Controls. Amend to read as follows:

"All hot water storage and supply systems shall be set to a minimum of 140° F (60° C), and shall be equipped with automatic temperature controls and a mixing valve conforming to ASSE1017 to limit the water supplied to the potable hot water distribution system to a temperature of 130° F (54.4° C) maximum."

Section 504.1 Antisiphon Devices. Amend to read as follows:

~~"An approved means, such as a cold water "dip" tube with a hole at the top or a "A"~~
vacuum relief valve installed in the cold water supply line above the top of the heater or tank shall be provided to prevent siphoning of any storage water heater or tank.

Table 605.4 Water Service Pipe. Amend line 5 to read as follows:

Copper or copper-alloy tubing (Type K, ~~WK, L, WL, M or WM~~).

Table 605.5 Water Distribution Pipe. Amend line 4 to read as follows:

Copper or copper-alloy tubing (Type K, WK, L, WL, ~~M or WM~~).

Table 702.2 Underground Building Drainage and Vent Pipe. Delete lines 5 and 7 in their entirety and amend line 9 to read as follows:

Copper or copper alloy tubing (Type K, L, ~~M or DWV~~).

Section 905.6 Vent for Future Fixtures. Amend by deleting entire paragraph and replacing it with the following:

"Within any habitable or occupiable spaces at the lowest level of a structure where plumbing fixtures are not installed, there shall be made available an accessible vent connection, not less than 2" in diameter, which is properly connected to the vent system to provide for future venting."

Section 912.2 Combination Drain & Vent System. Amending the first sentence to read as follows:

A combination drain and vent system shall not serve fixtures other than floor drains, standpipes, sinks and lavatories "and may be installed only when approved by the Authority having jurisdiction."

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers."

BE IT ORDAINED, By the Board of Mayor and Alderman of the City of Manchester,
as follows:

Section 917 Air Admittance Valves. Delete Sections 917.2 through 917.8 and amend 917.1 to read as follows:

"Vent systems utilizing air admittance valves shall *be allowed only where part of an engineered system designed by an engineer, licensed to practice in New Hampshire, or as approved by the Authority having jurisdiction.*"

II. This Ordinance shall take effect upon its passage.

R

AMENDMENTS
To the
2000 International Plumbing Code
effective August 13, 2004

CHAPTER Plu 700 STATE PLUMBING CODE

PART Plu 701 NATIONAL CODE REFERENCE

Plu 701.01 International Plumbing Code. As per RSA 329-A:15, I and II, the board hereby adopts by reference the International Plumbing Code, 2000 Edition, as published in cooperation with the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, and the Southern Building Code Congress International, Inc., as amended by Plu 701.02.

Plu 701.02 New Hampshire Amendments to the International Plumbing Code. The following amendments shall apply to the code incorporated:

101.0 Title. These regulations shall be known as the *International Plumbing Code of New Hampshire* hereinafter referred to as "this code".

101.2 Scope . The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. The installation of fuel gas distribution piping and equipment, fuel gas-fired water heaters, and water heater venting systems shall be regulated by the *International Fuel Gas Code* . Provisions in the appendices shall not apply unless specifically adopted.

104.2 Rule-Making Authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate *written* rules and to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering practice involving public safety.

106.6.2 Fee schedule. The fees for all plumbing work shall be as indicated in the *Administrative Rules Plu 306.01 and/or by local jurisdiction*.

106.6.3 Fee refunds . Delete this section in its entirety.

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall **be subject to the penalties prescribed by RSA 155-A:8 and RSA 329-A:18,II.**

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or, to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall comply with **RSA 155-A:8 and RSA 329-A:17.**

K

305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall **conform to RSA 485-A relative to minimum depth below finished grade. Building sewers that connect to public sewers shall be a minimum depth of 4 feet below grade or adequately insulated to afford the same protection whenever a condition arises that the 4 feet cannot be attained.**

403.2 Separate facilities . Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions

1. Separate facilities shall not be required for private facilities.
2. Separate employee facilities shall not be required in occupancies in which 15 or less people are employed.
3. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both the employees and customers, of 15 or less.
4. **Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 50 or less.**
5. **Separate facilities shall not be required in assembly occupancies that serve food with a total occupant load, including both employees and customers of less than 25.**

605.12.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564 or CSA CAN/CSA-B137.3 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

701.2 Sewer required. Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system in accordance with **RSA 485-A:29-44.**

705.8.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA CAN/CSA-B137.3, CSA CAN/CSA-B181.2 or CSA CAN/CSA-B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

705.14.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA CAN/CSA-B137.3, CSA CAN/CSA-B181.2 or CSA CAN/CSA-B182.1 shall be applied to all joint surfaces. The joint shall be made when the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

904.1 Roof extensions. All open vent pipes that extend through a roof shall be terminated at least **12 "** above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (213 mm) above the roof.

R

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

**“Amending Chapter 1 Administration of the Building Code of the
City of Manchester providing for increased fees”**

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

**I. Section 108 FEES of the Building Code of the City of Manchester is hereby amended as
follows: (Note: Old text shown as struck-through; new text shown italicized.)**

108.8 Fee Schedule

1) Building Permits

- (B) For all other new buildings and structures, and additions to
existing buildings and structures, the permit fee shall be the
estimated cost of the work multiplied by ~~.008~~ *.010*.

8) Heating/Cooling Equipment

Adding a new sub-section:

E) Ventilation ductwork:

- 1) up to 400 CFM - \$15.00*
- 2) each additional 400 CFMs - \$10.00*

9) Plumbing

- A) For each fixture installed or replaced - ~~\$4.00~~ \$5.00**

NOTE: The following shall be deemed to be separate fixtures:

- * Each water closet, lavatory, dishwasher, washing machine
connection, water filter, water cooler, garbage disposal,
sump pump, ejector pump, sterilizer or dental chair
- * Each combination fixture
- * Each 1,2, or 3 compartment sink
- * Each 3 feet or fraction thereof of gang shower length
- * Each interior or exterior drain

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

**“Amending Chapter 1 Administration of the Building Code of the
City of Manchester providing for increased fees”**

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

12) Elevators, Escalators, Amusement Devices & Special Equipment

A) Elevators

Adding a new subsection:

<i>(3) Initial compliance inspection for devices not subject to State of New Hampshire permitting</i>	<i>\$150.00</i>
---	-----------------

II. This Ordinance shall take effect upon its passage.

R

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code Of Ordinances of the City of Manchester providing for increased fees."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

I. The following Chapters of the City of Manchester Code of Ordinances are hereby amended as follows: (Note: old text shown as struck-through, new text shown italicized.)

Chapter 150 Housing Code

Section 150.114 Fees; Exemptions

(A) The following fees shall be charged by the Department:

- 1) Application fee - ~~\$15~~ *\$25* per dwelling unit or rooming unit as part of each application for a certificate of compliance.
- 2) Inspection Fee
 - (a) Dwelling unit - ~~\$25.00~~ *\$35.00* per unit for each inspection to determine compliance;
 - (b) Rooming unit - ~~\$10.00~~ *\$15.00* per room for each inspection to determine compliance;
- 3) Re-inspection. For reinspection of a building:
 - (b) 2nd and subsequent reinspections - ~~\$20.00~~ *\$25.00*
 - (c) In addition, after a second reinspection, the fee shall increase by ~~\$5.00~~ *\$10.00* for each subsequent reinspection
- 4) Unaccompanied inspection or reinspection - ~~\$30.00~~ *\$50.00* for each inspection or reinspection at which a building owner or his representative is not present unless such arrangement has been agreed to in advance
- 5) Transfer of Ownership - ~~\$25.00~~ *\$35.00* per certificate to assign a certificate of compliance to a new owner
- 6) Replacement of certificate and permit - ~~\$15.00~~ *\$25.00* per document for replacing an existing certificate of compliance, interim rental permit or transfer permit
- 7) Transfer Permit. Each application for a transfer permit:
 - a) One to four dwelling or rooming units - ~~\$100.00~~ *\$125.00*
 - b) Five to eight dwelling or rooming units - ~~\$200.00~~ *\$250.00*
 - c) in addition, each unit in excess of eight units ~~\$15.00~~ *\$25.00* per unit

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code Of Ordinances of the City of Manchester providing for increased fees."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

8) Special Inspections – ~~\$60.00~~ \$100.00 for each inspection and each additional unit over 4 units – ~~\$15.00~~ \$25.00

9) Extended Terms – ~~\$25.00~~ \$50.00 per certificate to extend the expiration date of a certificate pursuant to an action of the Board.

Chapter 155 Zoning Code

155.02 Fees for Appeal to Board of Adjustment

The following fees are hereby established for ~~variance applications and special exception Zoning Board of Adjustment~~ applications:

Change of use variance – ~~\$250~~ \$350

Multi-use variance – ~~\$250~~ \$350

Planned developments – ~~\$250~~ \$350

Nonconforming subdivisions – ~~\$250~~ \$350

Unaccepted way – ~~\$80~~ \$350

All others – ~~\$80~~ *variances, special exceptions, administrative appeals, equitable waivers - \$150*

Resubmittal by applicant – ~~\$10~~

Rehearing by abutter – ~~\$80~~ *and subsequent application requests - \$35*

Rehearing by applicant – ~~same as original appeal~~

II. This Ordinance shall take effect upon its passage.

S

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that ordinance amendment:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

be referred to a public hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall.

(Aldermen Duval, Lopez, Garrity and Pinard voted yea; Alderman Gatsas abstained.)

Respectfully submitted,



Clerk of Committee

John G. Cronin
Admitted in NH and MA



722 Chestnut Street, Manchester, NH 03104
Phone: (603) 624-4333 Fax: (603) 623-5626
www.croninbisson.com

April 20, 2006

Board of Mayor and Aldermen
c/o Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Zoning Change
603 Holt Avenue
Map 716, Lot 38

IN BOARD OF MAYOR & ALDERMEN

DATE: June 6, 2006

ON MOTION OF ALD. O'Neil

SECONDED BY ALD. Pinard
refer to the Committee

VOTED TO on Bills on Second Reading.

Leo N. Bernier
CITY CLERK

Dear Board of Mayor and Aldermen:

Enclosed herewith please find the Petition for Rezoning, together with the filing fee, concerning the above referenced property on behalf of our client, 127 Elm Street, LLC. The petition seeks rezoning of the subject property to residential use.

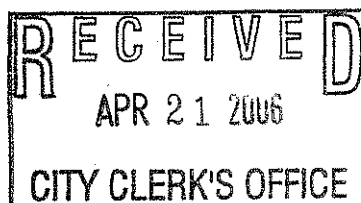
Please let us know if you require further information, or have any questions. Thank you for your consideration.

Sincerely yours,
CRONIN & BISSON, P.C.

By:

[Signature]
John G. Cronin

JGC:lma
Enclosure



STATE OF NEW HAMPSHIRE
CITY OF MANCHESTER

127 Elm Street, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, 127 Elm Street, LLC, by and through its attorneys, Cronin & Bisson, P.C., and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to amend the Zoning Map regarding a certain parcel of land located at 603 Holt Avenue, County of Hillsborough, City of Manchester and identified as Map 716, Lot 38 in the tax records for the City of Manchester. In support hereof, Petitioner states as follows:

1. Lorraine and Edwin Hartshorn are the owners of record of a parcel of undeveloped real property located at 603 Holt Avenue and identified as Map 716, Lot 38 in the tax records of the City of Manchester (the "Property"). Edwin Hartshorn is deceased, leaving Lorraine Hartshorn as the sole owner.
2. The Property is approximately three acres and is located in the industrial zone.
3. Although zoned industrial, the Property is located directly across Holt Avenue from a residential condominium development.
4. The property elevation changes dramatically from abutting industrial zoned properties and lies in close proximity to wetland areas.
5. The Petitioner, 127 Elm Street, LLC, as agent for the owner, seeks to change the zoning classification for the property from industrial to residential with the ultimate goal of construction of a residential condominium development similar to the existing development on Holt Avenue. (A letter of authorization from the record owner is attached as Exhibit A).
6. A copy of the City tax map showing the Property as situated in the industrial zone is attached as Exhibit B.

S

7. The proposed change would have little impact within the district since the Property's topography and proximity to wetlands and residential development make it difficult to develop for industrial use. In addition, a residential condominium development would be more consistent with the existing area.

8. The current zoning of "Industrial" is not compatible with the existing neighborhoods adjacent to the subject property. If the property were developed for an industrial use, it would create a detrimental impact of the neighboring residential properties.

9. Based on the anticipated market for residential condominiums in this area of the City and the number of units which could potentially be developed on the site, the proposed change should ultimately be tax positive for the City. Since the City is already servicing the existing residential condominiums in the area, there will likely be little net increase in the demand for City services as a result of the proposed change in zoning classification.

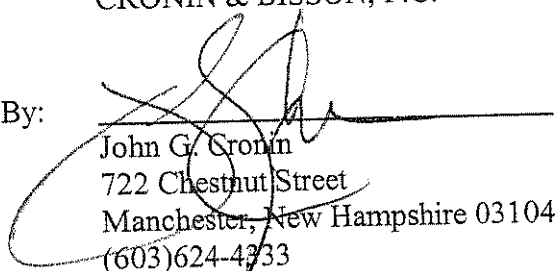
10. The names, addresses, tax map number and lot number of all abutting property owners and all properties on the opposite side of Holt Avenue is attached as Exhibit C.

11. In light of the support set forth in this petition, the Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the Zoning Map classification of 603 Holt Avenue to residential.

Respectfully submitted,

127 Elm Street, LLC
By its Attorneys,
CRONIN & BISSON, P.C.

By:


John G. Cronin
722 Chestnut Street
Manchester, New Hampshire 03104
(603)624-4333

Dated: April 20, 2006

Ms. Lorraine Hartshorn
Mr. Edwin Hartshorn

April 18, 2006

To Whom it May Concern:

We, the undersigned, being owners of the real property sometimes referred as Map 716, Lot 38, located on Holt Avenue in Manchester, New Hampshire, hereby grant our authority to 127 Elm Street, LLC to take any and all action required or deemed necessary to re-zone the property from "Industrial" to Residential."

Thank you.

Sincerely,

Lorraine Hartshorn
Lorraine Hartshorn

deceased
Edwin Hartshorn

S



Abutter List

Map 716 Lot 0038
603 Holt Avenue
Manchester, NH

Map / Lot	Property Owner	Property Owner Address
Subject Property 716 / 0038	Lorraine Hartshorn	21 Mammoth Road Hooksett, NH 03106
716 / 0036A	Boy Scouts of America	571 Holt Avenue Manchester, NH 03109
716 / 0036B	Boy Scouts of America	571 Holt Avenue Manchester, NH 03109
717 / 0013A	Arcidy Realty	520 E. Industrial Park Dr. Manchester, NH 03109
717 / 0001A	Harvey Industries Inc.	1400 Main Street Waltham, MA 02451
478 / 0002	Eastgate Apt. Assoc. Ltd. Partnership	540 N. Commercial Street Manchester, NH 03101
478 / 0003L	Eastwood Homeowner's Assoc. c/o David Hamilton, President	31 Eastwood Way Manchester, NH 03109
478 / 0003Q	Eastwood Homeowner's Assoc. c/o Sheryl Petra, Chairperson & Treasurer	53 Eastwood Way Manchester, NH 03109
478 / 0003G	Eastwood Homeowner's Assoc. c/o Amber Heroux, Chairperson	32 Eastwood Way Manchester, NH 03109



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 10, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Holt Avenue*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by agents for the owners of property on Holt Avenue (Lot 716-38). The subject parcel involves one parcel (that is proposed to be subdivided) on the southern side of Holt Avenue between East Industrial Park Drive and Waverly Street. It is 3.9+ acres in size, with a single-family residence. The subject property is currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to Multi-family Residential (*R-SM*).

Presently, the land across the street from the site is zoned R-SM and includes townhouse units including Eastgate Apartments. As such, the proposal would be an extension of an existing zoning district rather than the creation of a new one. The proposal for the land, if rezoned, would be for townhouse units, which are permitted in the R-SM district. The 1993 Master Plan for the City of Manchester does not show the existing R-SM land in this area or proposed expansions of it.

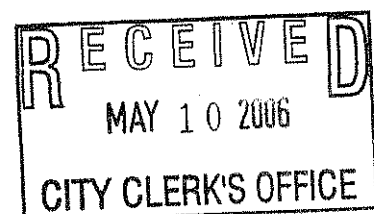
From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Additional information may be required prior to the hearing as identified in 16.02 of the Manchester Zoning Ordinance. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment. Given that the land to be rezoned is currently Industrial, I have also begun discussions with the Director of Economic Development to gain his perspective on the change.

Please let me know when this will be referred to the Board of Mayor and Aldermen for consideration so that I will be available to answer questions.

Sincerely,

Robert S. MacKenzie, AICP
Planning Director

C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov



Short Title
Rezoning Petition
Holt Avenue

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”



City of Manchester Planning Board
c/o City of Manchester Planning & Community Development Dept.
One City Hall Plaza
Manchester, New Hampshire 03101
603-624-6450
Fax (603-624-6529)

June 9, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Proposed Amendment to Zoning Map – Holt Avenue

Honorable Board Members:

At our most recent business meeting in May, the Planning Board discussed the proposed rezoning petition involving approximately 3.9 acres of land on Holt Avenue, between East Industrial Park Drive and Waverly Street. The property, known as Map 716/Lot38, with an address of 603 Holt Avenue, is presently zoned General Industrial (IND) and the applicant is requesting a change of this parcel to Suburban multi-family (RSM). The proposal involves maintaining the existing single family home on approximately 0.7 acres and developing the remaining 3.2 acres with 33 units of townhouses.

With this particular proposed amendment, the Planning Board was split in its opinion of the request. Some members felt that extending the R-SM across the street and rezoning the land, developing it consistent with the submitted plan, would be reasonable and consistent with the existing townhouses on the north side of Holt Avenue. Other Planning Board members felt that Manchester is consistently giving up, and rezoning, what little remains of industrial land in Manchester. Those members felt that building residential units on land surrounded by industrial uses would place a heavy burden on those existing industries to buffer their conforming operations from the new residential units. Those Planning Board members felt that the existing industrial uses would be limited in their expansion, since certain activities are prohibited in buffer areas between industrial and residential areas.

Another comment echoed by many of the Planning Board members was that, given the current review and update of the Master Plan, perhaps this request for rezoning is premature until the updated Master Plan is adopted later next year.

Thank you for taking our comments into consideration during your deliberations of this rezoning request.

Sincerely,

Kevin A. McCue, Chairman
Manchester Planning Board

C: Robert S. MacKenzie, Planning Director
Paul Borek, Economic Development Director

FOUGERE PLANNING & DEVELOPMENT Inc.

Mark J. Fougere, AICP

253 Jennison Road Milford, New Hampshire 03055
phone: 603-315-1288 fax: 603-249-9314
email: mfougere@adelphia.net

May 28, 2006

Attorney John Cronin
Cronin & Bisson, PC
722 Chestnut Street
Manchester, NH 03104

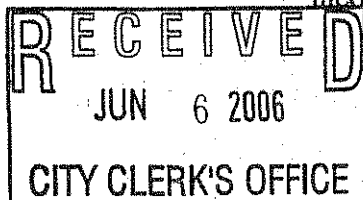
Dear Attorney Cronin,

At your request, I have reviewed the Petition For Rezoning submitted by 127 Elm Street, LLC to rezone a three acre parcel located at 603 Holt Avenue from Industrial to R-SM (Residential Suburban Multi-family District). Relative to this matter, I offer the following comments:

Fringe areas between zoning districts, the boundary line separating two divergent zoning districts, can often create conflicts between two adjoining non-compatible land uses. This certainly is the case with the zoning in this neighborhood, with the existing Industrial zone lying to the south and east of the subject property and residential zones R-SM and R-1B lying to the north. This residential neighborhood has a mix housing types, including single family homes and townhome condominiums. The entrance to an existing condominium neighborhood lies directly across the street from the subject parcel.

The development of this property for an industrial use could result in a number of negative neighborhood impacts, including:

- The introduction of industrial truck traffic into the westerly portion of Holt Avenue, which is now primarily a residential street. Although two industrial buildings lie at the corner of East Industrial Park Drive and Holt Avenue, their primary access is from East Industrial Park Drive. At this time, it is not necessary for industrial related traffic to enter this portion of Holt Avenue. If this site was developed with an industrial use, tractor trailer trucks, delivery vehicles and other incompatible traffic would have to enter this existing residential area. In addition,



S

the potential exists for this industrial related traffic to take a short cut out of the neighborhood and exit the area via Waverly Street, which contains many single family homes.

- Industrial related noise (equipment, exhaust, air conditioners, loud speakers, back up alarms) could also be a factor. Many such uses have multiple shift operations, with some running 24 hours a day. This type of operation will impact the adjoining residential uses, degrading the quality of life for those homeowners. In addition, as a steep grade exists on Holt Avenue as it approaches the site, tractor trailer noise will be exacerbated as the trucks struggle to drive up the slope and brake heavily as they go down.
- The slope of the site creates a problem for industrial uses and would require extensive regrading in order to create a level and expansive building pad site. This grading would require that a majority of the existing trees on the site be removed.

The proposed rezoning request would create a compatible neighbor to the existing abutting residential uses. The proposed townhome condominium development that would occur on the subject site is more in keeping with the residential character of this area of Holt Avenue. These projects are fiscally positive and generate few demands on municipal services. Generally, private condominiums take care of their own trash, road plowing and other maintenance issues. In addition, townhomes generate few school age children and therefore impacts to the school system will be minimal. A residential development will be able to blend in with the existing site topography much easier than an industrial use, allowing for the preservation of mature trees and less land disturbance.

The proposed rezoning request will have a positive impact on the neighborhood and will not create a fiscal drain to the City. The site is more compatible to residential uses than industrial uses, given the sites topography and location. Industrial related traffic is not appropriate for this area of Holt Avenue, given the high number of existing homes lying off of Holt Avenue and Waverly Street.

Sincerely,



Mark J. Fougere, AICP



May 30, 2006

John Cronin, Esq.
Cronin & Bisson, P.C.
722 Chestnut St.
Manchester, NH 03104

Re: Zoning Change
603 Holt Ave., Manchester, NH
Tax Map 716, Lot 38

Dear Attorney Cronin:

Pursuant to your request, I have read the application for zoning change for the property known as 603 Holt Ave., Manchester, NH. The subject property consists of a single family home constructed in 1953, according to the city tax card. The home is sited on 3.9 acres and is in an industrial zone. The house appears to be sited at the northwest area of the site, allowing area for development around it. The home is on a reasonably level part of the site, but as one moves eastward on the site, the downslope becomes steeper.

Immediately to the west of the subject property is a property having a commercial/industrial use. A short distance to the east of the subject along Holt Ave. is East Industrial Park Dr., along which there is extensive industrial property usage. However, to the north of the subject is property in a residential zone, inclusive of a residential condominium complex (within view of the subject) and a subdivision of older single family homes.

I have studied the properties in the immediate area. In order to develop an opinion as to whether the presence of residential condominiums would have negative impact on value and/or marketability of surrounding properties, I have reviewed a number of sales of homes that abut or are in close proximity to condominium complexes, and compared those homes to sales of similar homes that are not in close proximity to condominiums. I was unable to discern a difference in either value or marketability.

It is my opinion that the proposed use of the subject property, that of residential condominiums, would not have any negative impact on the value or marketability of surrounding properties. Importantly, a small complex of residential condominiums known as Eastwood Condominiums already exists in the neighborhood. Further, it is my opinion that the construction of commercial/industrial buildings on the subject site may cause diminution of value of abutting and nearby residential properties, including Eastwood Condominiums.

I will be happy to discuss this report with you. Please do not hesitate to call me if you have any questions.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Mark H. McKeon".

Mark H. McKeon
President, NHCR-03



City of Manchester Welfare Department

510 Chestnut Street
Manchester, NH 03101-1412
(603) 624-6484 FAX (603) 624-6423
www.ci.manchester.nh.us

Paul R. R. Martineau
Commissioner

January 20, 2006

Zoning Board of Adjustment
Attn: Mr. Steven Freeman, Chairman
One City Hall Plaza
Manchester, N. H. 03101

Dear Mr. Freeman and Board Members:

I am writing the Zoning Board of Adjustment to support a variance request for William A. Bevelaqua to build 33 units of townhouse condominium housing on Holt Avenue. The hearing on this proposal is scheduled for February 2, 2006.

I was a member of the Mayor's Task Force on Housing along with numerous other community leaders. The Task Force produced a 20 page report in the summer 2002 called "ACTION STRATEGY for HOUSING". I am aware that this report was given to all the Board members at that time.

The primary impetus of the Task Force was seeking ways to increase workforce (affordable) housing. One section in the report under REGULATORY speaks about Zoning Ordinances and what can be done to encourage workforce housing by addressing regulatory areas in City government. This project called "Hartshorn Way" engenders the spirit of the Task Force goal of increasing workforce housing.

In these difficult budgetary times, it is important for Manchester to maintain its vitality and business friendly atmosphere through innovative housing approaches.

I respectfully request the Board consider approving this application with the knowledge that this project will encourage, with your assistance, workforce housing development in Manchester.

Sincerely,

Paul R. R. Martineau
Welfare Commissioner

Cc: Mr. William A. Bevelaqua

T

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has authorized processing of legal expense payments from the School Facilities Improvement Project Contingency regarding Gilbane.

(School Committee Members Beaudry, Herbert, Gelinas and Alderman Roy voted yea; Aldermen Thibault and Forest were absent.)

Respectfully submitted,

Sh. H. Beaudry

Clerk of Committee

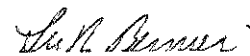
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To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has authorized execution of DMJM Contract Amendment #3, as enclosed herein.

(School Committee Members Beaudry, Herbert, Gelinas and Alderman Roy voted yea; Aldermen Thibault and Forest were absent.)

Respectfully submitted,



Clerk of Committee

DMJM H&N

100 Main Street, Suite 200, Manchester, NH 03103-5613
Tel: 603-561-1000 Fax: 603-561-1001 www.dmjmh.com

May 9, 2006

Mr. Timothy Clougherty - Chief Facilities Engineer
City of Manchester
Department of Public Works
Facilities Division
275 Clay Street
Manchester, NH 03103-5613

Re: Manchester Public Schools Facilities Improvement Program
DMJM H&N, Inc. Request for Contract Amendment 3

Dear Tim,

Per the request of the City of Manchester (the "Owner"), DMJMH+N (the "Program Manager") will perform additional services by maintaining the Program Management Team staffing level longer than what had been originally planned in the Program Management (PM) Agreement due to delays in the progress of the Work by the Design/Builder. These costs are associated with maintaining a longer than anticipated PM Team staffing level based on the Design-Builder's recent schedule/closeout performance. The original Design-Builder baseline schedule forecasted Substantial Completion (SC) for 19 of 21 schools by Jan '06. As of May 1, 2006, no school has achieved SC. Additionally, the current Design-Builder forecast (Program Schedule MA36 – Data Date March 14, 2006) represents delays of approximately 9 to 11 months beyond the Contractual Dates for SC of August 28, 2005 for the 3 high schools. The current PM Team forecast scenario (attached) reflects DMJMH+N's best forecast of the Design-Builder's completion and closeout performance with the following general assumptions as outlined below:

- Three (3) high schools Substantially Complete no later than June 30, 2006
- Three (3) middle schools Substantially Complete no later than July 31, 2006
- Sixteen (16) elementary schools Substantially Complete no later than November 30, 2006
- Final Completion of each school 60 days after Substantial Completion

Another additional service will be the specialized consultation services in support of the Owner in response to the Design-Builders' initial "Request for Equitable Adjustment" ("REA") dated September 20, 2005 and subsequent support documentation from the Design-Builder of the same. These additional services shall include the following:

- Provide expert consultation on strategy in support of the City's review and analysis of the REA
- Attend meetings with City staff as necessary and as requested in support of the City's review and analysis of the REA

- u
- Other responsibilities as directed by the Owner that fall within the capabilities of the personnel proposed for the amendment

Consistent with Article 6.3 in the Program Management Agreement, DMJMH+N will perform these extended services by maintaining the existing DMJMH+N project staff at their standard hourly billable rate for a period as directed by the Owner up until April 1, 2007. In support of the REA, DMJMH+N will also staff the project with appropriate personnel with this expertise (Tim McManus) up to 30 hours per month at the standard hourly billable rate for a period as directed by the Owner retroactive to April 1, 2006.

At this time, it is anticipated that this additional service would increase the original Program Management Agreement Guaranteed Maximum Price of [\$3,141,000.00], inclusive of Amendments 1 & 2, by \$683,822.00 for a revised Contract Value of [\$3,824,822.00]. The City and DMJMH+N reserve the right to additionally extend these services with mutual written consent should the need arise.

This Amendment (#3) to the Agreement is executed under seal by persons hereto duly authorized as of the day and year first above written.

OWNER:

WITNESS:

CITY OF MANCHESTER

By: _____

Name: Frank Thomas

Title: Director of Public Works

PROGRAM MANAGER:

WITNESS:

DMJM H&N, Inc.

By: _____

Name: Joseph T. Lawton, AIA, CCM

Title: Senior Vice President

Cc: Mark Ballard – DMJM H&N, Inc.
Tim McManus – DMJM Harris, Inc.
Allan Jefferson – DMJM Harris, Inc.
Project File

PM Team Costs: Current Forecast

	2006	2006	2006	2006	2006	2006	2006	2006	2006	2006	2006	2007	2007	2007	Total
	April	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April		
Allan Jefferson	160	160	200	160	160	200	160	160	200	160	80			\$	212,400.00
Chris Peluso	160	80												\$	29,280.00
Mike McIntyre		120	200	160	160	200	160	160	100					\$	163,800.00
Monique Rice	160	160	200	160	160	200	160	160	200	160	80			\$	95,400.00
Kevin Gregoire	160	160	200	160	160	200	160	160	200	160	80			\$	136,800.00
Bruce Bagnell	160	160	200	160	160	200	80							\$	92,960.00
Tim McManus	30	30	30	30	30	30	30	30	30	30	30			\$	107,250.00
ODC's	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 600	\$ 800			\$	9,300
Balance in Amendment #1														\$	46,785.60
Specialized Consultant Allowance for Contract Amendment #2														\$	25,000.00

Total \$ 918,975.60

Total Actual Cost thru 05 Apr 06:	
\$	2,905,846
Scenario Forecast To Go (Apr 06 - Feb 07)	
\$	918,976
Total Forecast:	
\$	3,824,822
Current Contract Value (including Amendments #1 & #2)	
\$	3,141,000
Balance:	
	-\$683,822

Note: Overbudget; staff extended to cover GBC "probable" closeout performance; contract amendment of \$683,822 needed to cover additional costs
Scenario Basis - HS Substantial Completion by Jun 06; MS Substantial Completion by Jul 06; Elementary School Substantial Completion by Nov 06. Final Completion 60 days thereafter.
Special Note 1: Current status of Amendment #1: Total = \$116,000; Amount Expended = \$69,214.40; Balance Remaining = \$46,785.60.
Special Note 2: Current status of Amendment #2: Specialized consultant allowance of \$25,000 for independent REA review.
Special Note 3: Chris Peluso/Mike McIntyre - One week overlap
Special Note 4: Approximately 6,680 additional manhours

V

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that a request of the Currier Museum of Art for an easement to allow footings of a replacement and proposed retaining walls to encroach onto Beech and Prospect Streets rights of way be approved as described in the description enclosed herein and incorporated by reference, subject to review and approval of the City Solicitor and Public Works Director, with any related costs for document preparation and recording to be borne by the Currier Museum; and further that the Mayor be authorized to execute any documents relating to such transaction subject to the review and approval of the City Solicitor.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee





May 19, 2006

ZIMMERMAN HOUSE • ART CENTER

Alderman Henry R. Thibault
280 Thornton Street
Manchester NH 03102

Dear Alderman Thibault:

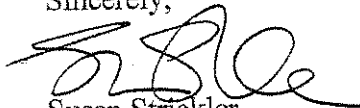
We appreciate all the help that the city has provided as the Currier Museum of Art embarks on its expansion program, which is scheduled to begin in early July of this year.

We are writing to you as chair of the city's Landscape and Building Committee on behalf of the Currier to request an easement to allow the footings of the replacement and proposed retaining walls of the museum to encroach onto the Beech and Prospect Streets rights of way. The design calls for the retaining walls to be placed at the right of way/property line consistent with the location of the existing walls. This will cause the wall footings below ground to extend one foot (12") into the rights of way. The easement as shown is 1-1/2 feet wide to allow for any unevenness in the below-ground construction.

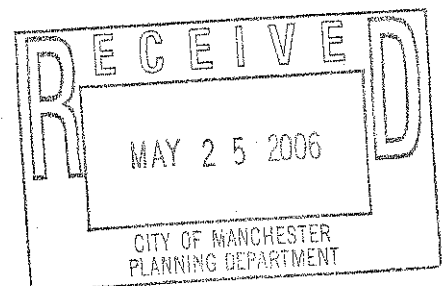
We have enclosed a Proposed Easement Plan and Description, and would be pleased to provide any further information that the committee needs to review this request.

We are grateful for your attention to this, and hope that you will be in touch with me, or with our deputy director, Susan Leidy, 669-6144 x 106 if you have any questions.

Sincerely,


Susan Strickler
Director

Cc: Susan Leidy
Pamela Goucher, Manchester Planning Department, with enclosure



✓

Legal Description-Footing Easement "A" within Beech Street and Prospect Street
adjacent to Lot 9-15 and 3-1

A certain footing easement within Beech Street and Prospect Street on the easterly sideline of Beech Street and the southerly sideline of Prospect Street, in the City of Manchester, County of Hillsborough, State of New Hampshire, bounded and described as follows:

Beginning at the intersection of the southerly sideline of Prospect Street and the easterly sideline of Beech Street; Thence

S07°52'52"E	by the easterly sideline of Beech Street a distance of 303.69 feet to a point; Thence
S82°07'08"W	through Beech Street a distance of 1.50 feet to a point; Thence
N07°52'52"W	through Beech Street a distance of 305.19 feet to a point; Thence
N82°07'29"E	through Beech Street and through Prospect Street a distance of 92.47 feet to a point; Thence
S07°52'31"E	through Prospect Street a distance of 1.50 feet to a point on the southerly sideline of Prospect Street; Thence
S82°07'29"W	by the southerly line of Prospect Street a distance of 90.97 feet to the point of beginning.

V
Legal Description-Footing Easement "B" within Beech Street adjacent to Lot 9-15 and 3-1

A certain footing easement within Beech Street on the easterly sideline of Beech Street, in the City of Manchester, County of Hillsborough, State of New Hampshire, bounded and described as follows:

Beginning at the intersection of the northerly sideline of Orange Street and the easterly sideline of Beech Street; Thence

S82°07'08"W	through Beech Street a distance of 1.50 feet to a point; Thence
N07°52'52"W	through Beech Street a distance of 88.85 feet to a point; Thence
N82°07'08"E	through Beech Street a distance of 1.50 feet to a point; Thence
S07°52'52"E	by the easterly sideline of Beech Street a distance of 88.85 feet to the point of beginning.



REFERENCE PLANS

- *TAX MAP 19 LOT 15, TAX MAP 3 LOT 1 & TAX MAP 18 LOT 22, EXISTING CONDITIONS AND TOPOGRAPHY PLAN, THE CURRIER GALLERY OF ART, PEARL, ORANGE, PROSPECT, ASH, BEECH, & WALNUT STREETS, MANCHESTER, NH. PREPARED FOR THE CURRIER GALLERY, 201 MARBLE WAY, MANCHESTER, NH 03104. SCALE: 1"=20'. SEPTEMBER 11, 2001. BY TIMURAN INC.

NOTES


- THE CURRENT RECORDED OWNER OF LOTS 19-15 AND 3-1 IS THE CURRIER GALLERY, OF BK. 2781, P. 107, WYLLIE WAY, MANCHESTER, NH 03044. DEED REFERENCES TO THE PROPERTIES ARE BK. 2781, P. 588 DATED 5/21/1980, AND VOL. 987, PGS. 10, 97, 98 AND VOL. 908, PGS. 97, 98. THE HOED AND PROSPECT ARE LOCATED 1/32ND AND 1/16TH OF AN ACRE.
- THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING, AND PROPOSED RETAINING WALLS TO ENOUGH INTO THE RIGHT OF WAY OF BECK STREET AND PROSPECT STREET AS SHOWN.
- § 2-13 REFERS TO CITY OF MANCHESTER ASSESSOR'S MAP AND LOT NUMBER.
1. THE TOTAL AREA OF LOTS 19-15 & 3-1 IS 24.78 ACRES± OR 107,925 SQ.F.T.±.
2. ZONING FOR THE LOTS IS C-1 (CHIC INSTITUTIONAL). STRUCTURAL SETBACKS ARE 15' AND 20' SIDE AND REAR.
3. THE SITE IS SUBJECT TO A 10' WIDE GAS EASEMENT BENEFITING THE MANCHESTER GAS CO., HORD BK. 2902, P. 465.
4. EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR DEFINED ARE THOSE WHICH WOULD BE BENEFICIAL TO THE PROPERTIES OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCELS WOULD DETERMINE.
5. THE BOUNDARY AS SHOWN IS BASED ON A FIELD SURVEY BY THE OFFICE CONDUCTED IN AUGUST 1991, AND REFERENCE PLAT-SHOWS. THE SURVEY HAS A PRECISION OF 1/31,778.

THE BOUNDARY AS SHOWN IS BASED ON A FIELD SURVEY BY THIS OFFICE, CONDUCTED IN AUGUST 2001 AND REFERENCE PLAT SHOWN. THE SURVEY HAS A PRECISION OF 1/31,770.

**TAX MAP 19 LOT 15 & TAX MAP 3 LOT 1
EASEMENT PLAN**

THE CURRIER GALLERY OF ART
THE CITY OF MANCHESTER, N.H.
OWNED BY / PREPARED FOR
THE CURRIER GALLERY OF ART
201 MYRTLE WAY

MANCHESTER NH 03104
MAY 12, 2008



16298.05

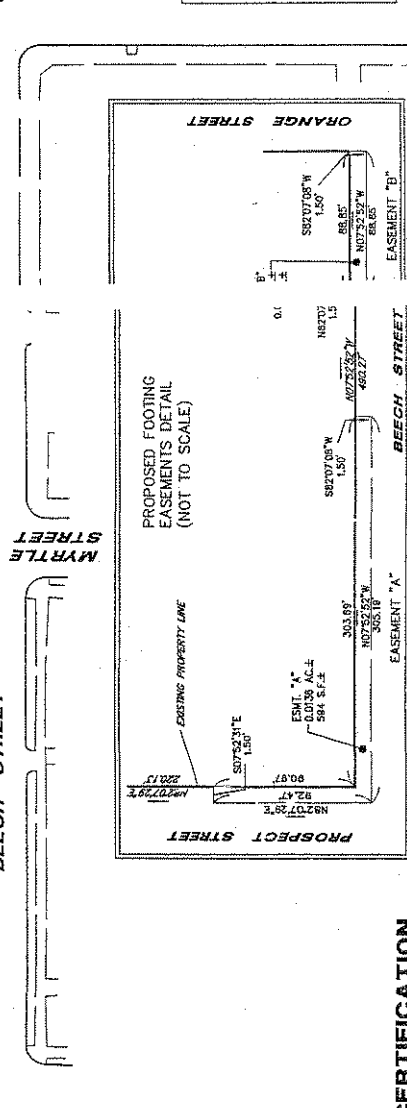
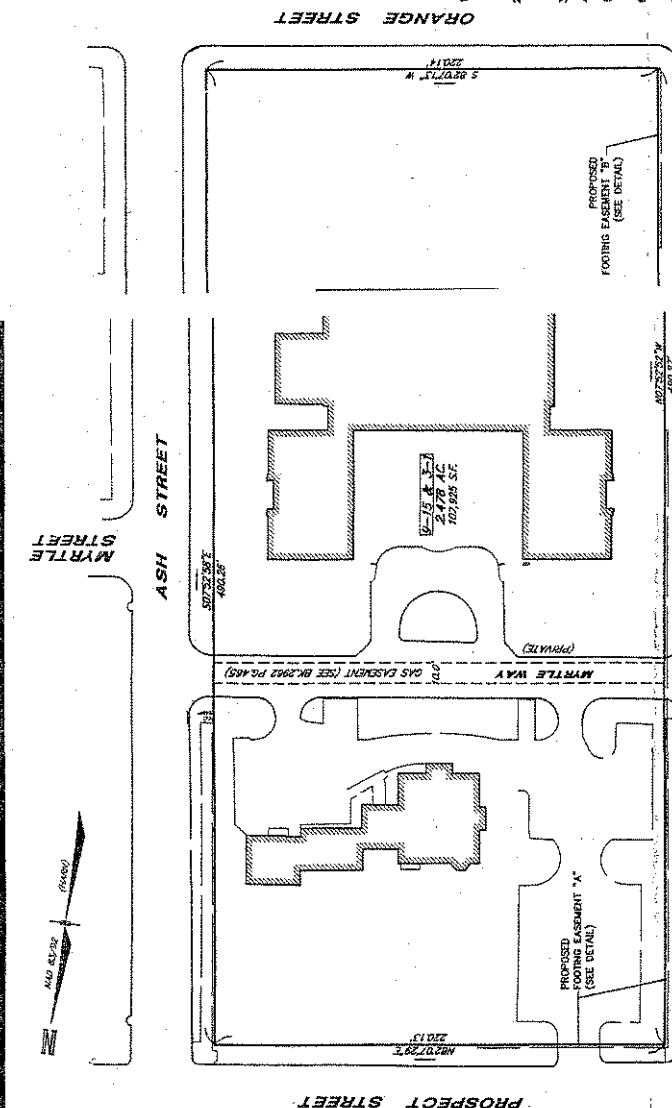
Job No.	Job Name	Job Date	Job Status	Job Type	Job Category	Job Subcategory	Job Description
16298.05	Baselitz, Ni - Manchester, NH	01/15/2011	Open	Residential	General	General	Baselitz, Ni - Manchester, NH

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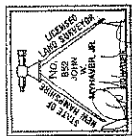
16298.05



CERTIFICATION

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

THE ABOVE CERTIFICATION IS PROVIDED TO MEET REGISTRY OF DEEDS REQUIREMENTS AND IS NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN.



17-20

W

To the Board of Mayor and Aldermen of the City of Manchester:



The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that:

The City relinquish municipally controlled air rights held over the parking lot immediately South of the Jefferson Mill building to Brady Sullivan Properties in consideration of Brady Sullivan constructing, at their own expense, a deck providing parking for tenants. Additionally, Brady Sullivan is to convey to the City of Manchester rights to construct a riverwalk along the Merrimack River adjacent to the western wall/property line of their building.

The Committee further recommends that execution of such relinquishment be made subject to the approval of the City Solicitor and Public Works Director.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


BRADY SULLIVAN
P R O P E R T I E S

W

June 19, 2006

(HAND-DELIVERED)

Alderman Henry Thibault, Chairman
Committee on Lands and Buildings
c/o City Clerk's Office
1 City Hall Plaza
Manchester, NH 03101

Re: Jefferson Mill Parking Deck

Dear Chairman Thibault:

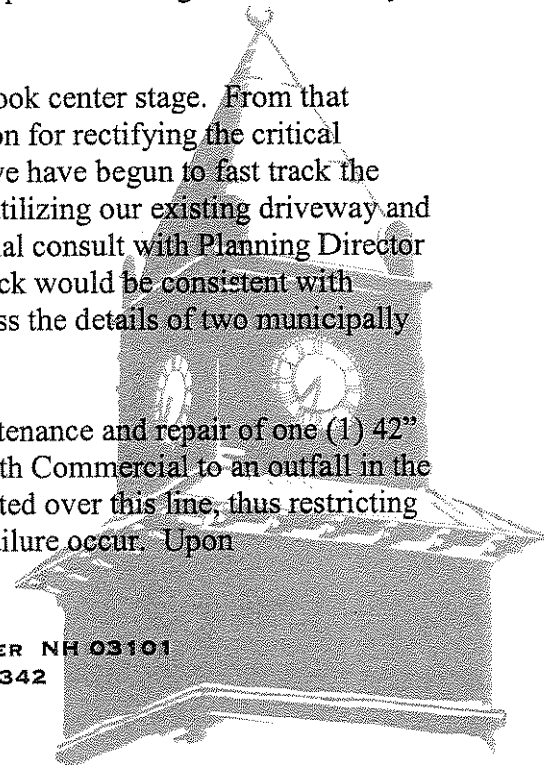
Please accept this letter as Brady Sullivan Properties' request that the City of Manchester modify the terms of certain agreements that restrict the construction of a parking deck at the Jefferson Mill. More specifically, we are requesting the relinquishment of municipally controlled air rights held over our at-grade Annex Parking Lot and a modification to a utility easement for a storm drain line that traverses the property.

This request stems from our desire to construct a 70-car parking deck at the southerly end of Jefferson Mill. Since Brady Sullivan Properties' acquisition of the 300,000 square foot Jefferson Mill in 2002, 18 companies now house over 885 employees in 220,000 sq. ft. of restored Class A office space. Currently there are only 300 on-site parking spaces and with 60,000 sq. ft. of workspace left to lease, the scarcity of parking has seriously stalled our lease-up efforts. While industry standards call for a minimum parking ratio of 3:1,000 sq. ft. of office area, our 1:1,000 sq. ft. ratio has resulted in several prospective Manchester companies moving to Bedford only because of this deficiency.

Recently I attended a Millyard Summit where parking issues took center stage. From that meeting, I left with the opinion that the only immediate solution for rectifying the critical shortage of parking was to develop it privately. To that end, we have begun to fast track the design and construction of the above-referenced raised deck, utilizing our existing driveway and street curb cut infrastructure. It became apparent after an initial consult with Planning Director Robert McKenzie, that while our development of a parking deck would be consistent with Manchester's Millyard District initiatives, we needed to address the details of two municipally held easements on this property.

First, there exists a utility easement for the access to and maintenance and repair of one (1) 42" storm drain line that traverses the Annex parking lot from North Commercial to an outfall in the Merrimack River. The parking deck is planned to be constructed over this line, thus restricting unimpaired access for catastrophic repair activities should a failure occur. Upon

670 N. COMMERCIAL STREET MANCHESTER NH 03101
P 603.622.6223 F 603.622.7342
BRADYSULLIVAN.COM



W

Alderman Henry Thibault, Chairman
June 19, 2006
Page 2

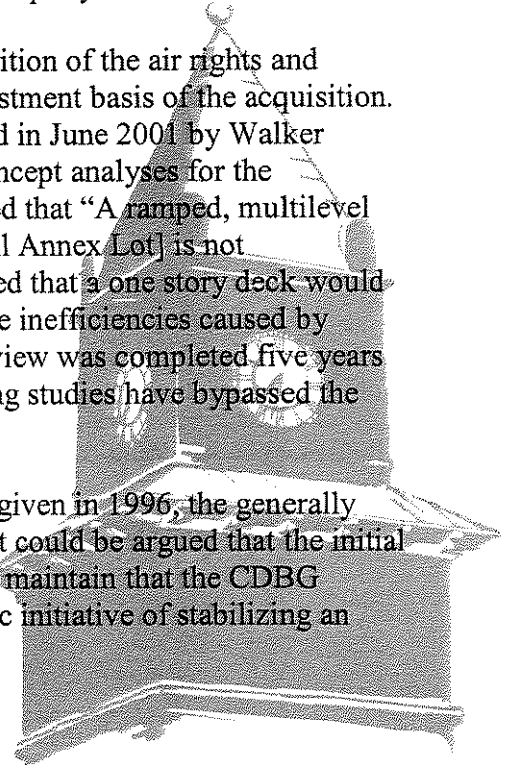
reviewing this 1970's storm drain line with Dave Thomas, Manchester's utility expert, it was suggested that the easement could be modified where the owner of the mill would take responsibility for the future repair of the storm drain line. To move this project along, the owners have agreed to assume responsibility for this storm drain line's repair, provided the parties jointly video the subject infrastructure to verify its structural integrity.

Secondly, in 1996, the City of Manchester acquired the air rights to the Annex Parking Lot for the development of a future parking garage. At that time, the owner of the Jefferson Mill, Peter Van Wyck, was given a total of \$374,200 in federal Community Development Block Grant monies. More specifically, two (2) separate allocations were made in 1996 totaling \$309,000 for the installation of a freight/passenger elevator. An additional \$65,200 was allocated in 1997 for improvements to the main building's roof. These CDBG monies were to aid in the economic redevelopment of the then dilapidated/underutilized Jefferson Mill Building. In exchange for this economic seed money, the owner agreed to create a low cost rental environment for the municipally supported Amoskeag Small Business Incubator Space on the 4th floor while also signing over the air rights to the Annex Parking Lot.

Brady Sullivan Properties is committed to investing \$1.5 million dollars for the construction of this parking deck in FY 2006. Brady Sullivan Properties hereby requests the City of Manchester relinquish their air rights to the Annex Parking Lot. In exchange for this action, the owners of the Jefferson Mill will agree to assign access and construction rights to the City for an extension of the final leg of the Merrimack River Walk. As envisioned, these rights would allow for the construction of a cantilevered walking deck to be affixed to the westerly length of the Jefferson Mill, extending from 540 North Commercial Street to the PSNH property.

We have reviewed the parameters/intent of the City's 1996 acquisition of the air rights and believe that time and information has now reduced the initial investment basis of the acquisition. The Millyard Area Parking Study of Existing Facilities, completed in June 2001 by Walker Parking Consultants, provided Manchester with feasibility and concept analyses for the Millyard's highest potential parking sites. Their review concluded that "A ramped, multilevel scheme with future expansion capability at this site [Jefferson Mill Annex Lot] is not recommended for cost and efficiency reasons". Further, they stated that a one story deck would be the only option for increased parking at this site "because of the inefficiencies caused by ramping of a small footprint having square proportions". This review was completed five years after the air rights were acquired and subsequent municipal parking studies have bypassed the mill's property for inclusion.

As for the present day value of the CDBG economic seed money given in 1996, the generally acceptable life of such monetary investments is 20 years. While it could be argued that the initial grant has been substantially written down on this basis, we would maintain that the CDBG investment was not just for the air rights but for the pure economic initiative of stabilizing an



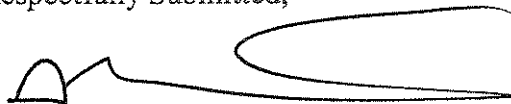
W

Alderman Henry Thibault, Chairman
June 19, 2006
Page 3

economically and physically obsolete/dysfunctional building. The elevator and roof improvements were to create a stable environment for the creation of the Amoskeag Small Business Incubator workspace. This resulted in the creation of many businesses and jobs within the federally designated economic assistance district defined by high percentages of underutilized and dilapidated buildings. The 20,000 sq. ft. Amoskeag Small Business Incubator workspace was established as a rental rate loss leader for the owner of the property as a vehicle to jump start its redevelopment. As such, the initial CDBG investment has paid back huge dividends in terms of property tax income to the City of Manchester as well as scores of millions of dollars in earned income.

Given the above, Brady Sullivan Properties respectfully requests the City of Manchester to partner with us as we move together to invest in Manchester's future. We request your considered attention to the relinquishment of acquired air rights to the Jefferson Mill's Annex Parking Lot and an amendment of the utility easement regarding the repair of the city owned storm drain line.

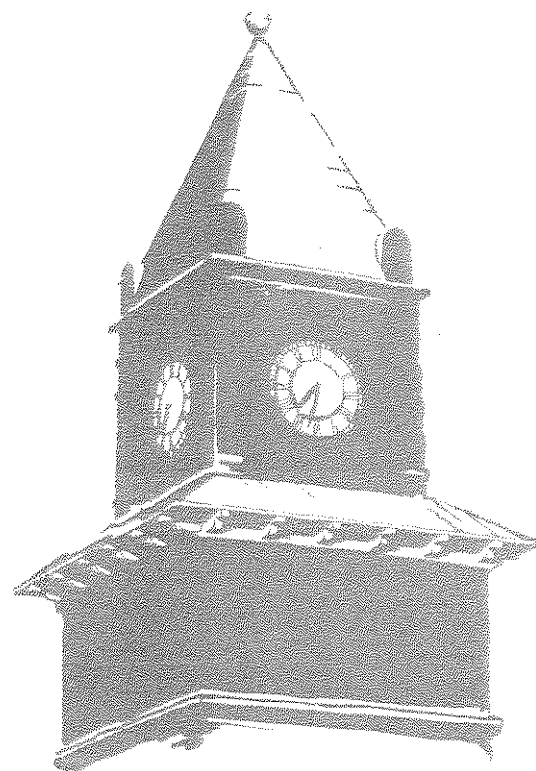
Respectfully Submitted,



Arthur W. Sullivan

AWS:jh

Encl.





INTEROFFICE MEMORANDUM

TO: ARTHUR W. SULLIVAN
FROM: CHARLES PANSIS, DIRECTOR OF COMMERCIAL LEASING
SUBJECT: JEFFERSON MILL PARKING
DATE: JUNE 19, 2006

Over the past several years the Manchester market has shown positive absorption of vacant space in both the office and industrial real estate markets. Both the Verizon Wireless Arena and the Manchester-Boston International Airport have been instrumental in driving the economy in the area. Other key factors playing a role in Manchester's commercial real estate growth are the addition of numerous restaurants, cultural events and the Fisher Cat Stadium. In short, Manchester's economy continues to grow and has been counter cyclical to that of neighboring towns in New Hampshire.

Based on a report from CBRE dated 2003, Manchester had an office vacancy of 17.5% in 2003 and in 2006 has a vacancy of 9.8% -- a decrease of 8%. Conversely, Bedford in 2003 had an office vacancy of 16.9% and in 2006 has a vacancy rate of 22.5% -- a 6% increase in three years. Looking at these two areas, it clearly shows that Manchester has captured some of the Bedford office market.

Manchester's Millyard in particular has shown a tremendous rejuvenation in the last several years, with companies such as Brady Sullivan Properties, PSNH, UNH and Deka all redeveloping what was once a vacant and obsolete sector of real estate. Current uses range from Class A office space to educational applications. The commercial real estate market in Manchester over the last three years has seen a movement from within, with companies moving into the Millyard from other towns, and also a shift of tenants from downtown Manchester to the Millyard district. Probably the reasons for this shift from an Elm Street property to a Millyard location were the aggressive redevelopment of real estate with a rich history and uniqueness, market conditions and rates, and also the availability of parking in the Millyard at that time.

Looking at the Millyard in 2006 vs. 2003, one would see a much different outlook for the Millyard district. Companies such as Herrick Technologies, Franklin Pierce College, and Wiggin and Nourie Law Firm have all relocated to the Millyard in the past several years. With all of the great things that have happened in the Millyard, there is one major problem that needs to be addressed: PARKING. The one asset that once drew the tenants to the Millyard three years ago may be the one element that could drive them out unless we address it now.

W

The Millyards were built for industrial manufacturing, with workers that lived close by and walked to work. Today's workers live anywhere from 15 minutes to an hour away and all mostly drive. As we move forward in the discussions of parking, I think it is very important that we recognize that this problem will have to be solved by both the private and public sector. Not realizing the shortfalls of the Millyard may lead to a shift of vacancies to other locales.

Remember the heyday of rents in Nashua and Bedford? It only takes a couple of major tenants to start a shift within the market or even out of the market. Personally, Brady Sullivan has had to accommodate tenants in other buildings in other towns due to the shortfall of parking. As previously mentioned, the Bedford market vacancies have increased in 2006 from 2003. Ironically, Brady Sullivan's Bedford office building at 8 Commerce drive is 100% occupied, with two major tenants coming out of Manchester. This is a building we bought empty and now 15 months later we are 100% occupied. In Manchester, we just could not accommodate this client's parking needs.

In the next two years, a lot of the leases in the Millyard will be rolling over and discussions are now under way with tenants on their renewals. The first issue they discuss is parking. It's not the rate or term; it simply is "*What are you doing about the parking?*"

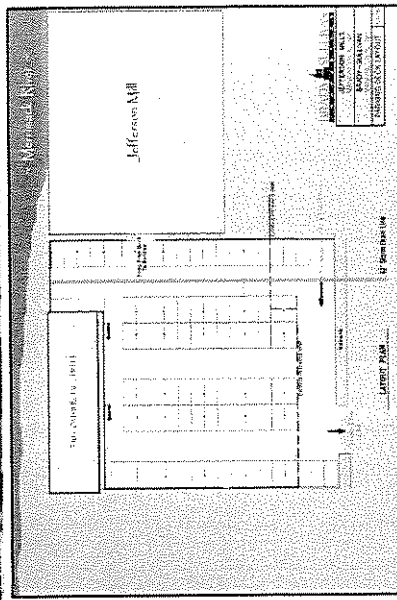
In closing, we have a great situation that possibly could become that much better if we address the parking situation. If we don't, we may see a movement either within the market or possibly out of the market.

CNP:jh

The Jefferson Mill

300,000 SF Class A Facility
60,000 SF Unoccupied
885 Employees - 300 Parking Spaces

Parking deck - 70 New Spaces
Release of Air Rights - \$374,200
42" Storm Drain Infrastructure



~ Merrimack River ~

Jefferson Mill

540 COMMERCIAL STREET

Entry From Deck
To Building

Existing Retaining Wall

Existing Retaining Wall

One Way Traffic Out Deck

Sidewalk

Traffic Flow
Out

42" Storm Drain Line

LAYOUT PLAN

BRADY SULLIVAN
PROFESSIONALS

PROJECT: JEFFERSON MILLS
MANCHESTER, NH

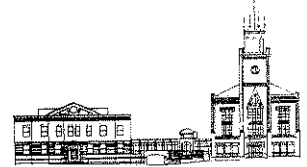
OWNER: BRADY-SULLIVAN
MANCHESTER, NH

PARKING DECK LAYOUT 6/9/06

W



CITY OF MANCHESTER
Manchester Economic Development Office



MEMORANDUM

TO: Committee on Lands & Buildings
Aldermen Henry R. Thibault
George Smith
Armand Forest
Mark E. Roy
Pat T. Long

FROM: Paul J. Borek
Economic Development Director

DATE: June 27, 2006

SUBJECT: Jefferson Mill Parking Deck

This is to recommend the conveyance of Air Rights on the parking lot immediately South of the Jefferson Mill to Brady Sullivan. In consideration of this conveyance, Brady Sullivan will construct, at their own expense, a deck providing much needed parking to new tenants in the Jefferson Mill. In addition, Brady Sullivan will convey to the City of Manchester rights to construct a riverwalk along the Merrimack River adjacent to the western wall/property line of their building. Brady Sullivan owns the underlying real estate. Their construction of a parking deck represents the highest and best use of the property and benefits the City by generating new property tax revenue and new jobs.

Brady Sullivan has contributed significantly to the economic development of Manchester Millyard by investments in both the Waumbec and Jefferson Mills. These investments have generated property tax revenue and jobs that have helped make the Manchester economy vibrant and productive.

X

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the Board of Mayor and Aldermen find property located at L Chenette Street known as Map 0372, Lot 0010-A surplus to City needs and further that:

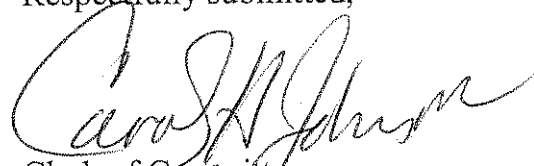

In accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated at L Chenette Avenue, known as Map 0372, Lot 0010-A by executing deeds releasing all rights, title interest, or claims in said property. Said property was acquired by the City of Manchester by virtue of Tax Collector's deed dated November 21, 1994, and recorded in the Hillsborough County Registry of Deeds, Volume 5593, Page 1655, on November 23, 1994.

The Committee advises that it finds just cause to dispose of such through sale to an abutter as the property can serve no public purpose, there is only one direct abutter to Lot 10A whose acquisition of said lot would adequately resolve a building encroachment problem. The Committee recommends sale to the abutters Donald J. Pouliot and Nancy E. Pouliot of 95 Brent Street conditional upon lot consolidation with Lot 10 at a price of Four Thousand One Hundred Fifty-dollars (\$4,150.00), a value deemed reasonable by the Board of Assessors.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deed accounts as deemed necessary. Pursuant to Statute requirements, enclosed is an ordinance which is recommended for referral to the Committee on Bills on Second Reading.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee


X

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 0372, Lot 0010-A, known as L Chenette Ave.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. That in accordance with New Hampshire RSA 80:80, the Mayor is authorized to convey a parcel of tax-deeded property known as Map 0372, Lot 0010-A, in the City of Manchester to Donald J. Pouliot and Nancy E. Pouliot of 95 Brent Street, Manchester, NH. The sale shall be evidenced by a deed without covenants and such other instruments as may be necessary to release all right, title, interest or claim in said parcel. Said property was acquired by the City of Manchester by virtue of Tax Collector's Deed, dated November 21, 1994, and recorded in the Hillsborough County Registry of Deeds, Volume 5593, Page 1655, on November 23, 1994. The purchase price of the parcel shall be Four Thousand One Hundred Fifty-dollars (\$4,150.00) an amount deemed reasonable by the Board of Assessors. Sale shall be contingent upon an agreement to merge Lot 10-A with Lot 10 of Tax Map 0372.
- II. This Ordinance shall remain in effect for six months from the date of passage.

X

Law Offices
of
Bussiere & Bussiere
Professional Association
15 North Street
Manchester, New Hampshire 03104

EMILE R. BUSSIERE
EMILE R. BUSSIERE, JR.
KEITH F. DIAZ

Telephone (603) 622-1002
Facsimile (603) 668-6892

June 9, 2006

Via Fax Only (603) 624-6481

3 pages

City of Manchester
Attention: Leo Bernier, Clerk

Re: Donald J. Pouliot's and Nancy E. Pouliot's request to
purchase tax map 372 lot 10A

Dear Mr. Bernier:

Per my conversation with the Mayor's Office, I am faxing
herewith a copy of my letter dated June 2, 2006 regarding Don and
Nancy Pouliot's request for permission to purchase the two lots
referenced in said letter.

The purpose of this fax is to inform you that in said letter
I incorrectly identified the property as having an address of
85 Brent Street when, in actuality, the address of my clients'
property is 85 Cilley Road.

I hope this can still be placed on the next upcoming agenda
for the Board of Mayor and Aldermen.

Thank you for your attention to this matter.

Sincerely,

Emile R. Bussiere Jr.
Emile R. Bussiere, Jr.

ERBJR:dpm
Enclosure
cc: clients (letter only)

X

Law Offices
of
Bussiere & Bussiere
Professional Association
15 North Street
Manchester, New Hampshire 03104

EMILE R. BUSSIERE
EMILE R. BUSSIERE, JR.
KEITH F. DIAZ

Telephone (603) 622-1002
Facsimile (603) 668-6892

June 2, 2006

City of Manchester
Board of Mayor and Aldermen
Attn: Mayor's Office
1 City Hall Plaza
Manchester, NH 03101

Re: Donald J. Pouliot's and Nancy E. Pouliot's request to
purchase tax map 372 lot 10A

Dear Board of Mayor and Aldermen:

Please be advised that I represent Donald J. Pouliot and
Nancy E. Pouliot with respect to their request to purchase tax
map 372 lot 10A from the City of Manchester.

My clients purchased the property located at 85 Brent Street
(Tax Map 372 Lots 10, 26, 26A & 28A) on December 21, 1993, their
deed being recorded December 22, 1993 in the Hillsborough County
Registry of Deeds at Book 5507 Page 344.

Thereafter, on November 23, 1994, the City of Manchester
obtained title to tax map 372 Lot 10A via a tax deed indicating
the property had been owned by an unknown owner. This deed is
recorded in the Hillsborough County Registry of Deeds at Book
5593 Page 1656. My clients were not aware that the transfer
occurred.

Unbeknownst to my clients when they acquired the property,
their real estate, specifically the building located on their
property, appears to encroach upon tax map 372 Lot 10A.

At this time, my clients would appreciate the opportunity to
purchase tax map 372 Lot 10A from the City of Manchester. The
parcel does not appear to have any value to the City of
Manchester or any one else given its size and location. Further,
my clients' desire in acquiring the lot is primarily, if not
totally, driven by their concern relative to the encroachment
issue raised above and the problems they might encounter if they
were to sell their parcel.

RECEIVED

JUN 05 2006

MAYOR'S OFFICE

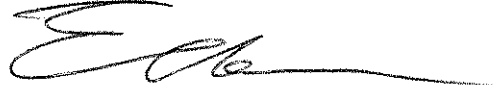
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City of Manchester
Board of Mayor and Aldermen
Attn: Mayor's Office
June 2, 2006
Page 2

It is requested that this matter be placed on the agenda for the next available meeting.

Thank you for your attention to this matter.

Sincerely,



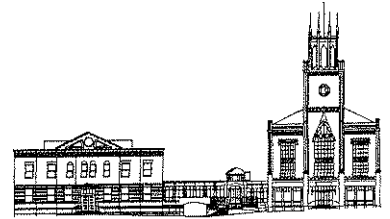
Emile R. Bussiere, Jr.

ERBJR:dpm
cc: clients



CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Tel: (603) 624-6520 – Fax: (603) 628-6288
Email: assessors@ci.manchester.nh.us
Web: www.ManchesterNH.Gov



David M. Cornell, Chairman
Thomas C. Nichols
Stephan W. Hamilton

Christine Hanagan
Assistant to Assessors

To: Committee on Lands and Buildings
From: Board of Assessors
Date: June 19, 2006
Re: Map 372 Lot 10A
Request to Purchase Property

The Assessors have completed an analysis of the estimated market value of the above-referenced property. The following is a summary of important facts and the value estimate:

Property Location	Chenette Ave (see attached aerial photograph)
Assessors Map/Lot	Map 372 Lot 10A
Property Owner	City of Manchester Tax Collector
Deed Book/Page	5593/1655
Date Acquired	November 21, 1994
Improved/Vacant	Vacant
Total Land Area	1038 square feet
Current Zoning	B-2
Overlay District	N/A
Easements/Restrictions	None Known
Utilities Available	Water and Electric
Total Current Assessment	The current assessment is \$2,500. Note: This is the 2001 revaluation figure.
Indicated Range of Value/Unit	\$4.00 per square foot
Indicated Range of Value	\$4,150 (rounded)
Comments	The value stated herein represents the value, as is, for 1038 square feet of land. Due to the small size and narrow shape of the lot, the property has limited utility. Therefore, the highest and best use of the lot is determined to be a merger with an abutting property.

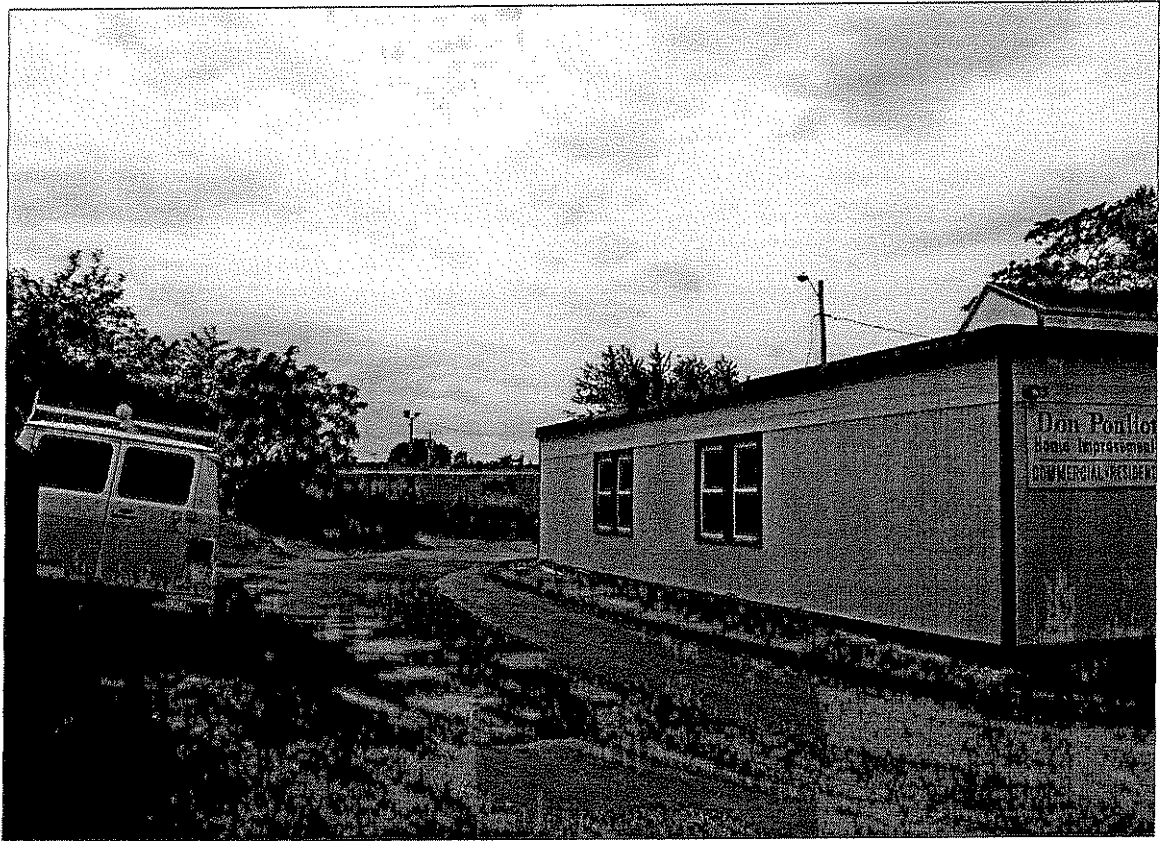
Respectfully submitted,

David M. Cornell
David M. Cornell

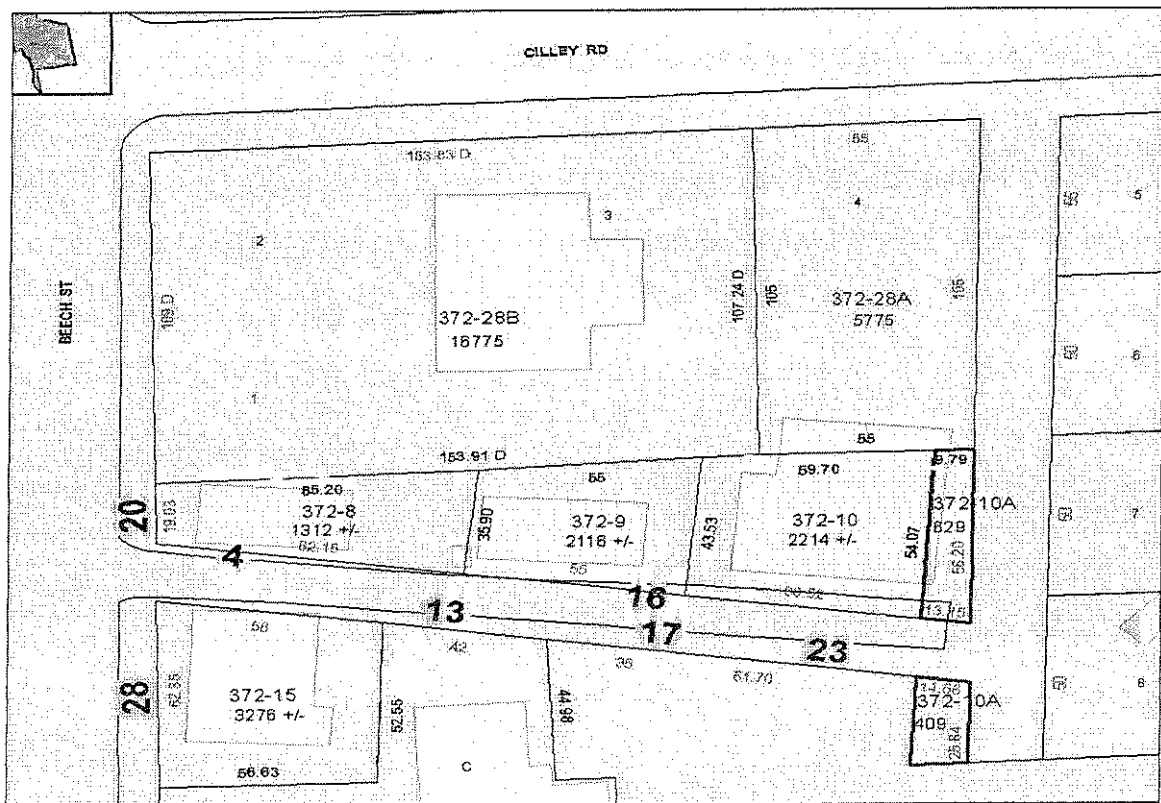
Thomas C. Nichols
Thomas C. Nichols

Stephan W. Hamilton
Stephan W. Hamilton

Enclosure:

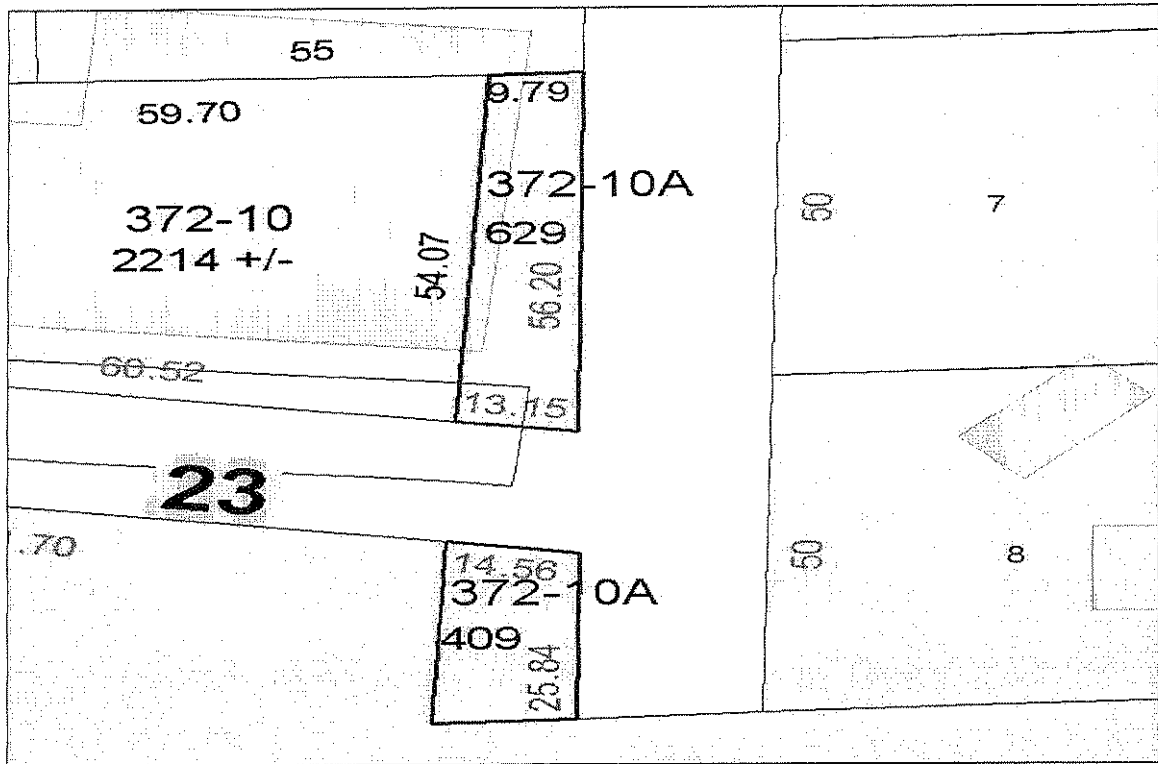


View Looking South

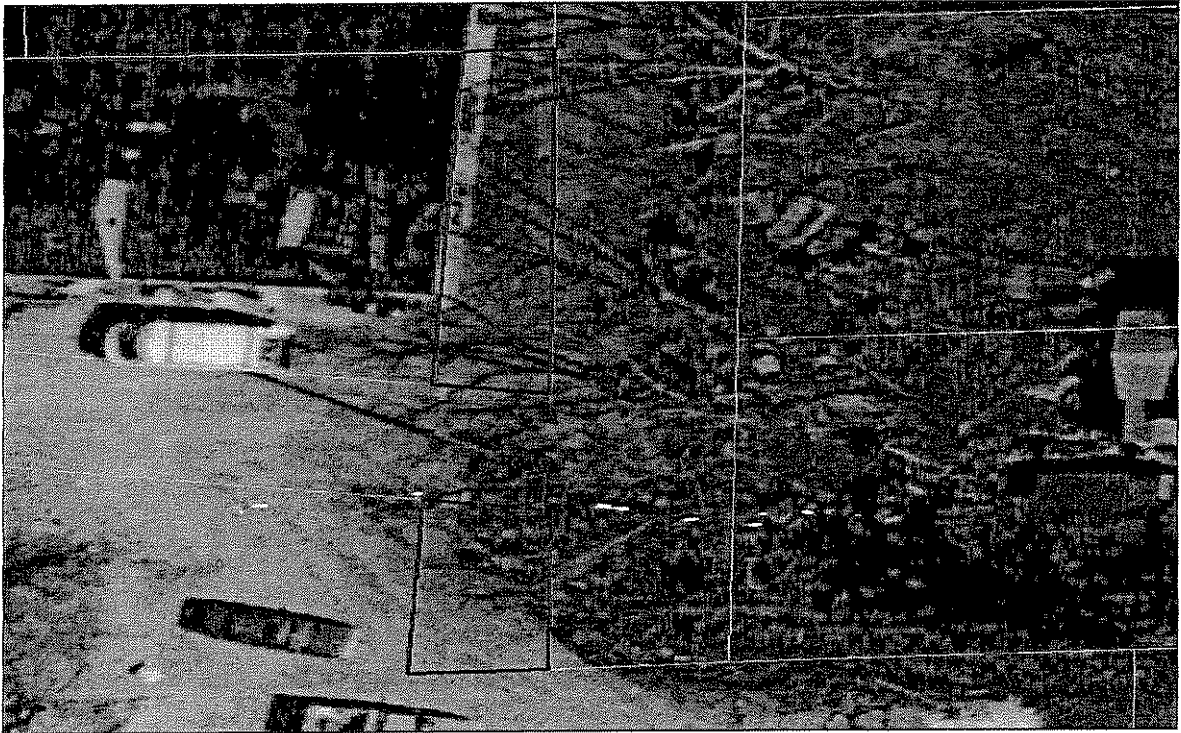


GIS Map

X



GIS Map



Aerial Photograph



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 19, 2006

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
City Hall - One City Hall Plaza
Manchester, N.H. 03101

RE: *Request to acquire city-owned land (TM 372, Lot 10A) on Chenette Avenue*

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land and building.

Background: The City has received a written request from Donald and Nancy Pouliot to acquire a 600 s.f. city-owned parcel (TM 372, Lot 10A) which abuts several properties they own which are located on or near Chenette Avenue just south of the South Beech Street/Cilley Road intersection. The reason expressed by the Pouliot's for why they want to acquire Lot 10A is because a commercial building they own on Lot 10 crosses over the lot line boundary and onto Lot 10A and acquisition of Lot 10A would resolve their encroachment dilemma. As may be seen on the accompanying maps, three other Pouliot owned properties abut city-owned Lot 10A.

Surplus Determination and Disposition: After discussion this request with appropriate City agencies, we have determined that there are no known reasons why the City should retain ownership of this tiny parcel and it is, therefore, the recommendation of the Planning & Community Development Department that the property be deemed surplus to City needs and disposed of through public sale at a price determined by the Assessor's Department. In this regard, the Board may especially wish to consider that the Pouliot's are the only direct abutters to Lot 10A and their acquisition of Lot 10A would adequately resolve their building encroachment problem.

If sale of Lot 10A to the Pouliot's is deemed appropriate, we would recommend that the Board attach a condition to the sale which requires that Lot 10A (600 s.f.) be merged with abutting Lot 10 (3,054 s.f.) to form a single parcel.

If you have any questions, our staff will be available at your meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

Environs of TM 372, Lot 10A

CILLEY RD.

CHERRY AVE.

PRIVATE ALLEY / DRIVEWAY

CHENETTE AVE.

TM 372
Lot 28A
6,037 s.f.

85 Cilley Rd.
TM 372
Lot 10
3,054 s.f.

Chenette Ave.
TM 372
Lot 10A
600 s.f.

TM 372
Lot 26A

9 Cherry Ave.
TM 372
Lot 26



Properties owned by Donald & Nancy Pouliot

Property owned by City of Manchester

This map prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 9, 2006.

Environs of TM-372, Lot 10A

LEON AVE.

WITT AVE.

CILLEY RD.

MAPLE ST.

CHERRY AVE.

PRIVATE ALLEY / DRIVEWAY

S. BEECH ST.

CHENEITE AVE.

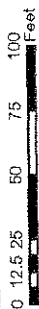
TM 372
Lot 28A

TM 372
Lot 10

TM 372
Lot 26A

TM 372
Lot 26

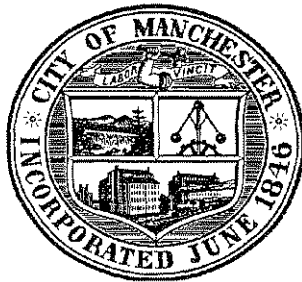
TM 372
Lot 10A



Properties owned by Donald & Nancy Pouliot

Property owned by City of Manchester

This map prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 9, 2006.



City of Manchester
Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

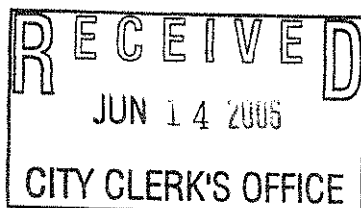
Memorandum

DATE: June 14, 2006
TO: Land & Building Committee
FROM: Joan A. Porter, Tax Collector
RE: L Chenette Ave

As requested, the following contains information regarding the Tax-Deeded property located at: **L Chenette Ave**

Prior Owners: Unknown
Map/Lot: 0372/0010-A
Lien Date: 04/17/1992
Deed Date: 11/21/1994
Recorded Date: 11/23/1994
Book/Page: 5593/1655
Back Taxes 343.25 (not including interest and costs)

I do not have any objections to the disposition of this property.



Environs of TM 372, Lot 10A

CILLEY RD.

CHERRY AVE.

CHENETTE AVE.

TM 372
Lot 28A
6,037 s.f.

Chenette Ave.
TM 372
Lot 10A
600 s.f.

85 Cilley Rd.
TM 372
Lot 10
3,054 s.f.

TM 372
Lot 26A

8 Cherry Ave.
TM 372
Lot 26

TM 372
Lot 10A



LeBlond-Kang, Paula

From: Beauchesne, David
Sent: Friday, June 09, 2006 1:29 PM
To: LeBlond-Kang, Paula
Subject: L&B Pouliot Request to Acquire City-owned TM372, Lot 10A on Chenette Ave.

G-Day Paula!

This is not a big thing but I would like to set the record straight concerning an incorrect street address referred to in a recent letter from Attorney Bussiere Jr. to the City which expresses his clients, Donald and Nancy Pouliot, desire to acquire a city-owned parcel which abuts lands they own "at 85 Brent Street (Tax Map 372 Lotes 10, 26, 26A & 28A)". While Attorney Bussiere's citation of the Tax Map and Lot numbers for the parcels owned by Mr. & Mrs. Pouliot are correct, the "**85 Brent Street**" address is not correct. In fact, Brent Street is located off Brown Avenue south of the Airport (where the Pouliot's also own property). I'm sure that the reference to "Brent Avenue" is an inadvertant processing typo and that Attorney Bussiere meant to state that the affected Pouliot property address is **85 Cilley Road**.

Also, for the record, the affected 600 s.f. City-owned property (TM 372, Lot 10A) does not have an assigned street address number but is officially located on **Chenette Avenue**, a very short one-way street which extends easterly off of Beech Street immediately south of Cilley Road.

As an assistance in figuring out which property is referred to in the L & B Agendas, is it possible that this case be referred to as **TM 372, Lot 10A** on **Chenette Avenue**? FYI, City Planning sorts all of its over 200 L & B case files by Street Name so mere reference to a Tax Map and Lot Number is not helpful when I'm trying to find a file.

Many thanks.

DB


9

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully advises, after due and careful consideration, that it has approved the Wayfinding Signage concept and request that staff return to the Committee with specific signage that will be placed in the pilot area consisting of the downtown and a small portion of the west side.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee
Reputy



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 12, 2006

Committee on Public Safety and Traffic
City Hall
One City Hall Plaza
Manchester, NH 03101

re: *Wayfinding Sign Package*

Honorable Committee Members:

Enclosed please find a draft of a Wayfinding Signage Package for the City. We have worked with the Traffic Department, Public Works and the Chamber of Commerce to put this package together over the past couple of years. We have also begun review with the NH Department of Transportation.

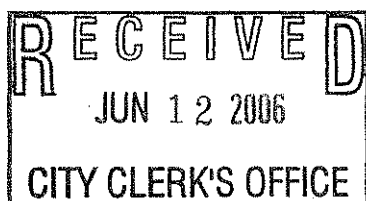
Comprehensive and consistent signage throughout the City will make it easier for visitor's and newcomers to find key points within the City, reduce the current clutter of signs and will provide a positive image of Manchester. Upon your approval, we would begin implementing the program within a pilot area which includes the central area of the City.

In conjunction with the wayfinding package, we will be implementing an Interpretive Signage package in the Millyard. This series of ten signs explains the historical significance of the Amoskeag Millyard. The research and design of the interpretive signs was made possible by the designation of the Millyard as a "Cultural and Scenic Byway".

I will be available to review this matter with you at your next meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development



One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

CITY OF
MANCHESTER

Wayfinding Signage Program

PROPOSED MAY 2006

Prepared by the
Planning and Community
Development Department

Wayfinding System

City of Manchester, New Hampshire
May, 2006

As Manchester grows towards becoming a world class small City with new businesses and institutions, there is a risk that a proliferation of signs will destroy part of that appeal, as well as creating a distraction for road users. Therefore, the purpose of the Manchester Citywide Wayfinding signage program is to help visitors from outside of the local area to find facilities easily and safely.

Guiding Principals

- The system is intended for visitors and new residents.
- The system is not meant for advertising.
- First impression and perception play an active role in determining the best route.
- The best route may not be the shortest or quickest.
- Terminology must be kept short and easily understood by a visitor
- Departure routes must be equally as important as arrival routes.

Goals

- Create a consistent wayfinding and identify system across a range of sign and publication mediums.
- Create a wayfinding program that focuses on directing visitors to major parking garages and destinations.
- Improve wayfinding and visitor information on events in the city.
- Establish wayfinding links to pedestrian paths in the city.
- Reduce the amount of visual clutter and proliferation of signs that can be distracting and make it difficult to find locations.
- Provide a positive image of the City.
- Establish ongoing administration and maintenance of the system.

Process

The wayfinding system will be administered by the Traffic Department with consultation of the Planning & Community Development Department and the Public Safety and Traffic Committee, as may be required. The Department shall be responsible for the location and maintenance of the sign systems and for the determination of what destinations will be identified in the wayfinding signage. Selection of destinations will be based upon the Criteria identified below. The Department shall annually review destinations to determine if certain locations will be deleted or added based upon the same Criteria.

The Department shall be responsible for determining the maximum number of destinations located on a particular sign or at a particular intersection. Excessive destinations can become confusing and counteract the goal of the system. The Department shall also be responsible for determining the

most appropriate pathway or pathways for each destination. Directional signs not consistent with the Wayfinding System will be removed by the Department.

Sign Types

Citywide Destination Wayfinding Signage

- The focus of this system is encouraging visitors to park their cars – then find their destinations
- District gateway signs for entrance to the city and major business areas and cultural districts and neighborhoods.
- Direct directional signs that include information leading to parking garages and lots.
- Destination directional signs that direct visitors to cultural attractions, major government buildings, shopping districts and neighborhoods.
- Trailblazer directional signs.
- Arrival signs marking the entrance to parking facilities and major cultural institutions.
- Consistent, simple, city map for handout in parking facilities, kiosks and attractions.

Pedestrian Signage

- Pedestrian wayfinding map and signs.
- Pedestrian/bicycle trail signs.

Neighborhood Signage

- We must allow each neighborhood to show their own unique characteristics while creating a coherent streetscape for the whole city. Components include:
- Standards and initiative for unique neighborhood gateways. (future)
- Standards for neighborhood banners (future)
- Street sign program with neighborhood identity

Eligibility Criteria for Types of Destinations

The following criteria limit the number of destinations which can be in the Wayfinding System. The Traffic Departments annual review will follow these criteria. The System is not intended for commercial advertising or the location of businesses.

Allowable Destinations

- Airport: A commercial or public general aviation airport approved by the Federal Aviation Administration
- Arena: A stadium, sports complexes, auditorium or civic center. The hour requirements no not apply to this category.
- Courthouse and Municipal building: A building housing the primary offices or for the convening of official legal activities for the city, county, state or federal government.

- College or university: An educational institutions that grants higher degrees and is fully accredited by the *New Hampshire Postsecondary Education Commission*
- Commercial concentration: A commercial district or commercial corridor containing more than 20 individual stores.
- Convention Center, Theaters, Arts Centers and Performing Arts centers: A facility for the performing arts, exhibits, conventions or concerts.
- District: A relatively large urban area with defined boundaries that share a common physical, ethnic, cultural or political character.
- Golf Course: A golf course open to the public that is at least 18 holes (non-par 3) and follows United States Golf Association regulations. The golf course must have an on-site Clubhouse.
- Hospital: An institution providing primary health services and medical or surgical care to person suffering from illness, disease, injury, etc. Must be open for emergency care 24 hours a day.
- Library: A building where books, manuscripts, historical documents, and other information are stored for public access.
- Museum, gallery: A Facility in which works of artistic, historical, or scientific value are cared for and exhibited to the public.
- Parking facilities: A structure or lot which provides a minimal of 50 spaces for parking.
- Railroad/Bus Stations: A passenger terminal utilized for discharging and picking up passengers and ticketing.
- Recreation Area, Forest or Wildlife Refuge: An area designated under federal, state or local jurisdiction made available to the public.
- Snow Ski Area: A facility with those recreational amenities normally present at snow ski facility (mechanical lifts, down hill skiing, tubing, snowboarding, etc). This is considered a seasonal attraction. Months of operational do not apply to this category.
- Visitor Information Center: A facility where the primary purpose of its operation is to provide information and tourist supportive services.

Signs will not normally be provided for the following:

1. Residential property
2. Individual commercial business
3. Social and sports clubs
4. Hotels/Bed and Breakfasts
5. Religious Institutions

Visitation Requirements

For an attraction to be eligible for inclusion in the signing system, it must have a minimum annual visitation of 1,500. Pedestrian signs may have a lower criteria threshold.

General Eligibility Requirements

The following general criteria must be met by all attractions in order to be eligible for inclusion in the Wayfinding Signing System.

General: The attraction shall be open to all persons regardless of race, color, religion, ancestry, national origin, sex, age or handicap: comply with all federal, State and local regulations and statutes for public accommodations concerning health, sanitation and safety.

Admission Charge: If a general admission is charged, it shall be collected upon the entry and other charges shall be clearly displayed, at the place of entry as to be readily visible.

Minimum Annual Attendance: The establishment must be used by and attract a particularly large number of visitors who are unfamiliar with the area. The annual attendance requirement is 1,500. More than 50% of the total annual attendance must be from actual tourist traffic.

Road System: The location of the attraction shall not require motorists to perform any illegal movements or U-turns and the roads shall be capable of handling the anticipated traffic column and types of traffic. Motorists shall be able to readily return to the street or highway and proceed in the original directional of travel after visiting the attraction. This may result in the attraction being required to install signing to guide the motorist to their original directional of travel.

Hours of Operation: Attractions other than arenas, schools, colleges/universities, performing arts centers shall maintain regular hours and schedules and be open to the public for a minimum of 104 days a year. Attractions shall maintain regular hours and schedules and be open to the public without any prior booking at least two days each week, six hours per day, and a minimum of eight months of the year.

Destination Publicity: The establishment must show evidence of promotion to the tourist market, e.g. a publicity leaflet or advertising.

Other Signs: The Attraction shall have no illegal advertising sign along any of the roadways. In addition, no other type of previously approved destination signing will remain, within the right-of-way including previously approved signs. Attractions with sign violations of City, State and or Federal laws or regulations will not be authorized to participate in the Signing System.

On-premise Sign: The attraction shall have an on-premise sign that is readily visible.

Seasonality: Signs for seasonal attractions such as farmers markets or summer concert series may be displayed when warranted. A minimum of 3 consecutive months with an attraction each week must exist. Such signing shall state the days of operation for the seasonal attractions and the signs will only be erected during the time period of the seasonal attraction.

Sign Design: Wayfinding signs will be fabricated by the Traffic Department. The designs of the signs will be at the discretion of the Traffic Department following the principles of the MUTCD and

the Standard Highway Signs book. Generic or international symbol for the category of the attraction may be considered for the incorporation on the signs. In certain instances, it may be appropriate to include a standard logo of a destination such as the Manchester Airport.

Sign Installation: Signs will be installed by the Traffic Department. The installation location of the signs will be at the discretion of the Traffic Department following the principles of the MUTCD.

Sign Maintenance: Signs will be installed and maintained by the Traffic Department.

Sign Placement: Signs for eligible attractions may be authorized to provide direction for motorists from the nearest major state highway(s) to the attraction. Signs will be placed on the most direct route to the attraction to best serve the motoring public.

Signage Location

Selection of Destinations and Zones to be shown at each decision point or intersection shall be the decision of the Traffic Department. Generally speaking signs for vehicular traffic must be limited to five or at most six locations while pedestrian signs can have up twice that amount. Factors to be considered in selection include:

1. Density of destinations in a particular Zone.
2. Best pathway to a particular Zone or Destination.
3. Relative size of and distance to various destinations.

To demonstrate how these factors work, we can look at two different intersections. The off-ramp from I-293 to Granite Street will be a major gateway into the City. This location has a very high density of destinations within close proximity. Since it is not possible to place all of the destinations at this sign location, the signage will focus on Zones and generic categories. The six items shown might therefore include: Westside, Downtown, Millyard, Colleges, Arena and Baseball Stadium. Of these, the first three are Zones, the fourth (Colleges) is a generic category and only two are specific destinations. These two make it to the list because they are very large attractions and they are very close to the gateway.

The intersection of Mammoth Road and Bridge Street is another major gateway into the City from I-93. By comparison, however, it has a lower density of destinations in the immediate zone. Therefore, more specific destinations (at a greater distance away) can be included. Therefore, the six at this location might be: Downtown, McIntyre Ski Area, Veterans Hospital, Derryfield Park, the Currier and the Elliot Hospital.

Attachments

- A. Graphic Design Standards for signage
- B. Preliminary Listing of Qualified Destinations

B. Preliminary Listing of Qualified Destinations

This listing is based upon a review of the Wayfinding pilot area. Additional destinations will be added as further areas beyond the pilot area are included in the system.

Zones

1. Downtown
2. Kelly Street Business
3. Main Street Area
4. Millyard
5. North End
6. Squog
7. Valley Street Business
8. Webster Street Business
9. Westside

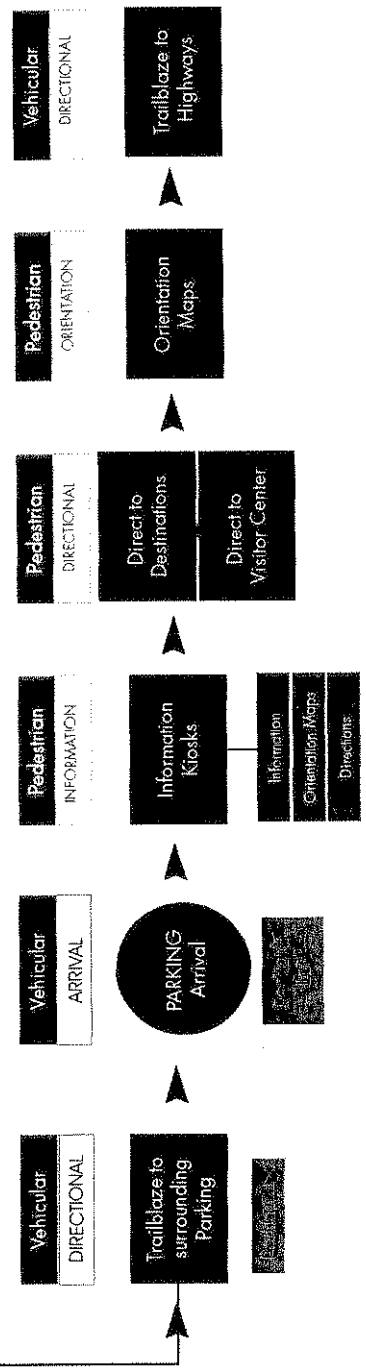
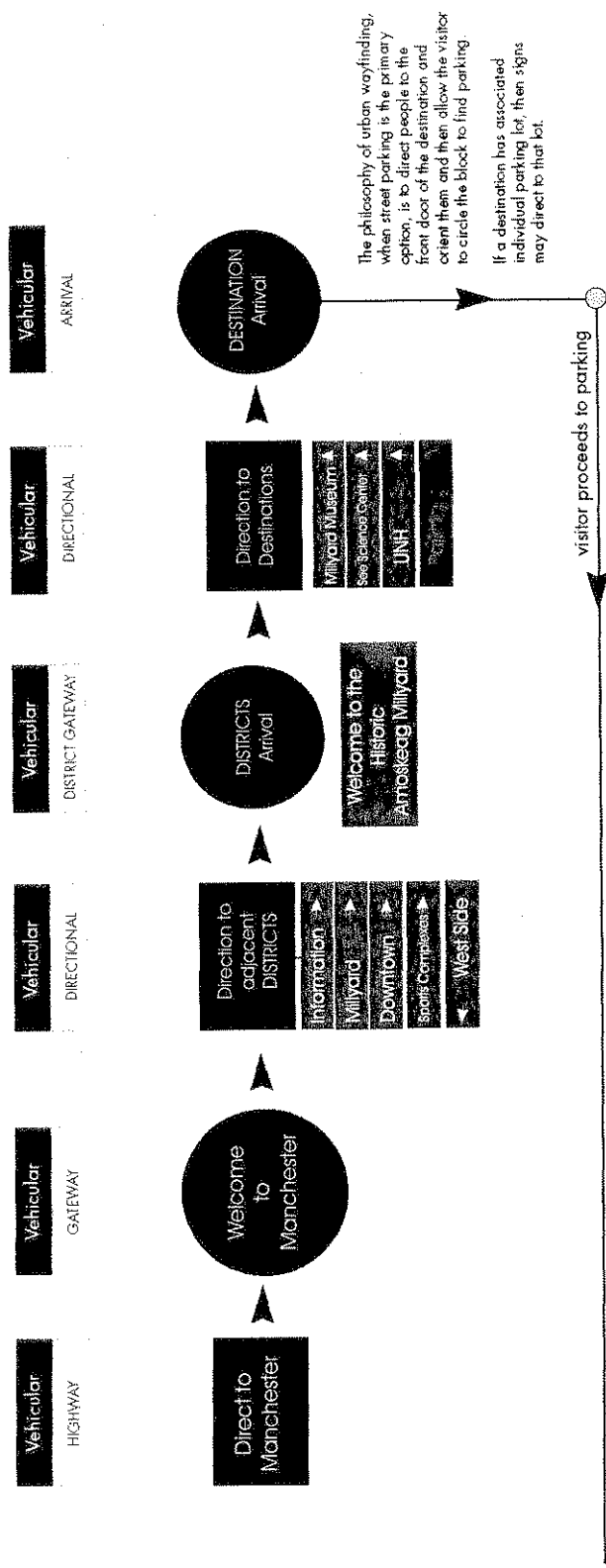
Destinations

1. Amoskeag Fishways
2. Animal Shelter
3. Arena
4. Baseball park
5. Carpenter Library
6. Cashin Senior Center
7. City Hall
8. Convention Center
9. Credit Union Museum
10. Currier Museum of Art
11. Derryfield Park
12. District Court
13. Farmers Market (Seasonal)
14. Federal Building
15. Franklin Pierce College
16. Gill Stadium
17. Heritage Trail
18. Hesser College
19. Hospital (CMC, Elliot and Veteran's)
20. Information
21. INS/DMV
22. JFK Arena
23. Manchester Historic Association
24. Massachusetts College of Pharmacy and Health Services
25. Millyard Museum
26. New Hampshire Community Technical College
27. New Hampshire Institute of Art
28. New Hampshire National Guard Armory
29. Palace Theater

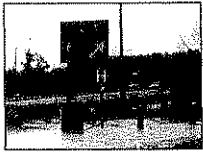
30. Rines Center
31. Riverwalk
32. SEE Science Center
33. Southern New Hampshire University
34. Springfield College
35. Superior Court
36. Transportation Center
37. University of New Hampshire
38. Valley Cemetery
39. Veterans Park
40. Victory Park
41. West Side Ice Arena
42. West Side Library

Parking

1. Arms Park Lot
2. Bank of America Garage
3. Bedford Lot
4. Center of NH
5. Franklin Street Lot
6. Hartnett Lot
7. Myrna Lot
8. Pearl Street Lot
9. Pine Street Lot
10. Victory Parking Garage



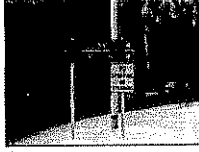
Route 293, Exit 6 Sign Concepts



Hospital



Hospital (confirmatory)

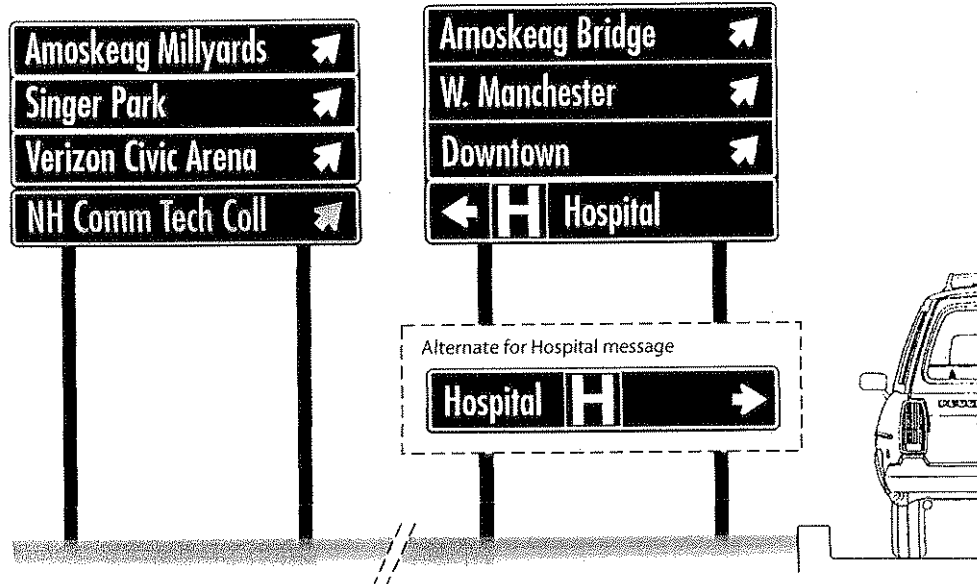


Civic Arena
Singer Park

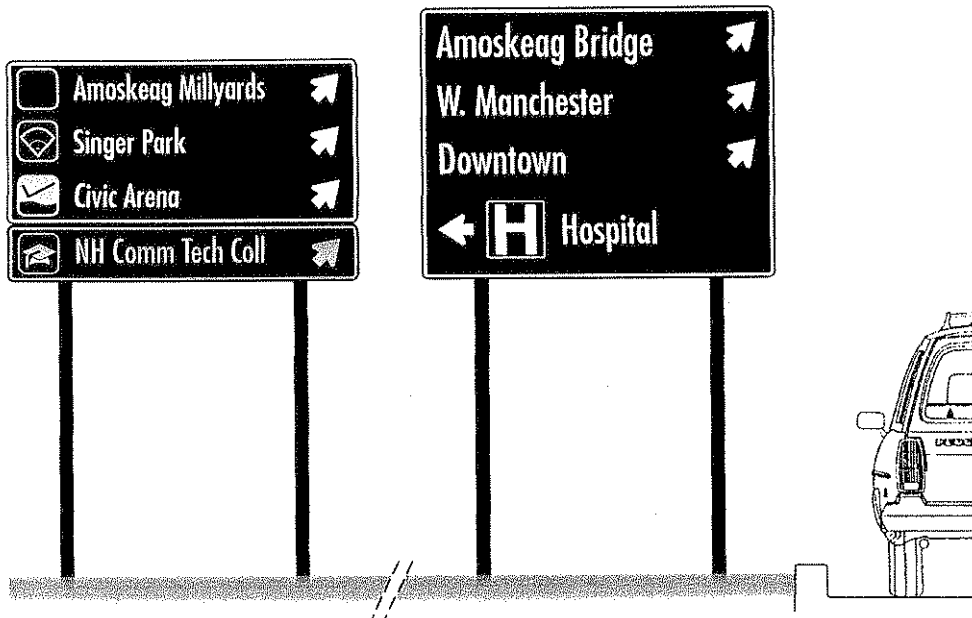


W. Manchester
Amoskeag Bridge
Manchester
NH ComTech College
Verizon Wireless Arena
Currier Gallery of Art

Existing Messages at Exit



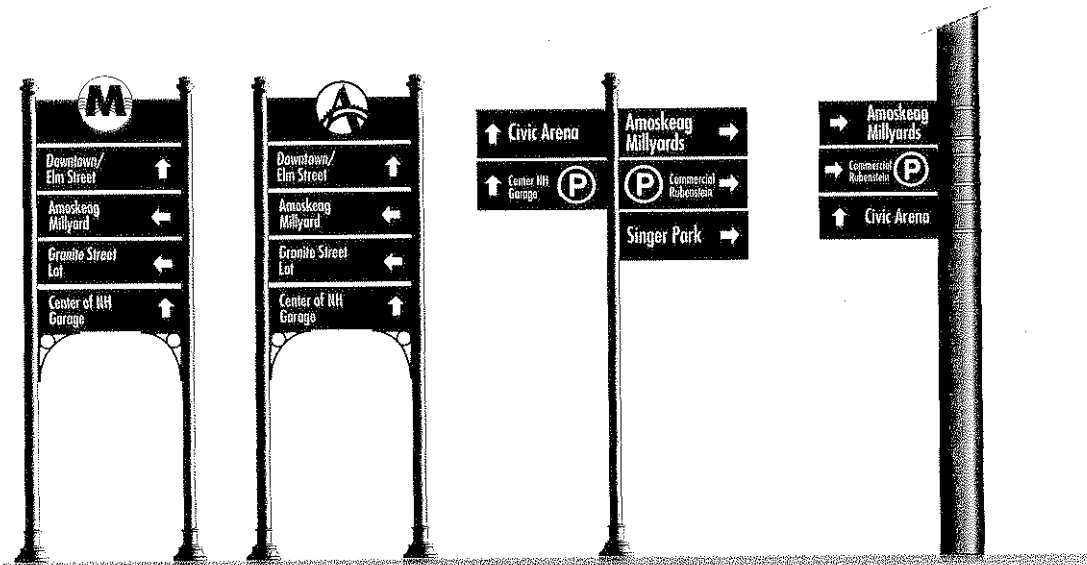
Standard Highway Signage



Modified Highway Signage with Logos/Pictograms
Note: Standard Highway Typeface to be Used

Interstate Wayfinding Options

Manchester Wayfinding Project w/ Amoskeag Byway Systems Integrated



Elm Street District
Auto-Directional Sign*
*City Logo/ID to be determined

Millyard District
Auto-Directional Sign*
*Incorporates Amoskeag Byway Logo

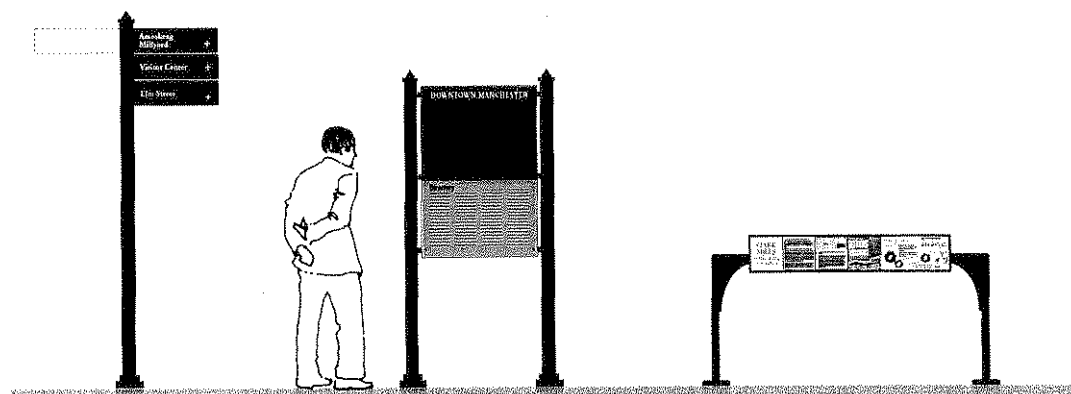
Flag Mounted Street
Auto-Directional Sign*
*Incorporates Amoskeag Byway Logo

Existing Utility Pole
with band mounting system



Parking Lot Directional Sign

Parking Lot Entry and Information Sign (front & back)



Pedestrian Wayfinding Signs w/Blades

Pedestrian Kiosk (2 Sides)

Interpretive Panel for Amoskeag Byway

Wayfinding Sign Family

Manchester Wayfinding Project w/ Amoskeag Byway Systems Integrated

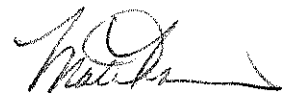
2

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that that the Board approve the Traffic Signal Agreement between the City of Manchester and the Town of Bedford, as enclosed herein, and further that the Mayor be authorized to execute the agreement subject to the review and approval of the City Solicitor.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee
Deputy

Transmittal Letter

To: James Hoben
City of Manchester
480 Hayward Street
Manchester, NH 03103

From: Jason Plourde *JPP*

Subject: Gas Station/Convenience Store-Manchester, NH

Date: May 30, 2006

Project Number: NEX-2005099

We are sending you ☐ Attached ☐ Under Separate Cover ☐ ViaFedEx/Priority
the following documents:

☐ Prints ☐ Specifications ☐ Estimates ☐ Shop Drawings ☐ Samples
☐ Other plans & agreement

These items are transmitted as checked below:

☐ For your use ☐ As requested ☐ Returned for Corrections
☐ For review and comment ☐ For approval ☐ For distribution
☐ Other: _____

COMMENTS:

Jim,

Based on our meetings, follow-on discussions, and collaborated efforts, we have prepared the attached Traffic Signal Plans and Agreement for coordination of the South River Road intersections with Second Street/South Main Street and with Colby Court/Bedford Square. Please review and let me know of any questions or modifications. We are trying to have the Agreement established prior to our next Manchester Committee on Public Safety and Traffic meeting that is scheduled meeting for June 20. As such, we will need to have the Agreement finalized by June 6. With the continued efforts between the groups (proponent, City of Manchester, and Town of Bedford), this deadline seems reachable. If you have any questions, please do not hesitate to call.

Jason

GPI Greenman – Pedersen, Inc.

61 Spit Brook Road, Suite 110, Nashua, NH 03060-5614 Tel: (603) 891-2213 Fax: (603) 891-6449

www.gpinet.com

2

AGREEMENT

REGARDING IMPROVEMENT, TIMING, AND MAINTENANCE OF
SOUTH RIVER ROAD TRAFFIC SIGNALS AT SECOND STREET AND
SOUTH MAIN STREET IN MANCHESTER, NEW HAMPSHIRE AND AT
COLBY COURT AND BEDFORD SQUARE IN BEDFORD, NEW HAMPSHIRE

AGREEMENT made as of May ___, 2006, by and between the CITY OF
MANCHESTER, a New Hampshire municipal corporation with a principal place of business at
One City Hall Plaza, Manchester, New Hampshire 03101, acting through its Highway
Department ("Manchester"); the TOWN OF BEDFORD, a New Hampshire municipal
corporation with a principal place of business at 24 N. Amherst Road, Bedford, New Hampshire
03110, acting through its Public Works Department ("Bedford"); and EXXONMOBIL OIL
CORPORATION, a New York corporation with a principal place of business at 3225 Gallows
Road, Fairfax, Virginia, 22037 ("ExxonMobil").

WITNESSETH

Whereas, ExxonMobil is the owner of certain real property located at the corner of the
South River Road, Second Street, and South Main Street in Manchester, New Hampshire (the
"Premises") for which the City of Manchester Planning Board has granted final site plan
approval. Pursuant to the Site Plan, ExxonMobil may redevelop and operate a certain gasoline
station, together with convenience store and car wash upon the Premises (the "Station"); and

Whereas, as a condition of the Manchester Planning Board's approval of the Site Plan,
ExxonMobil must make certain modifications to the traffic control signal at the intersection of
South River Road, Second Street, and South Main Street in the City of Manchester and install
a traffic control signal system along South River Road at the intersection of Second Street and
South Main Street in the City of Manchester at the intersection of Colby Court and Bedford
Square in the Town of Bedford, as shown on the plan of four (4) sheets prepared by
Greenman-Pedersen, Inc. dated May 26, 2006 entitled "Traffic Signal Plan, Route 3 - Two
Locations."

Said plans being subject to review and approval by the City and Town before installation,
and said plans are made a part hereof; and in accordance with the provisions to perform work on
a City/Town roadway and made a part of this Agreement; and

WHEREAS, the parties hereto have reached an agreement as to the apportionment of the
work, the expense of carrying out said work, and the ownership and future maintenance thereof;

NOW THEREFORE, in consideration thereof, the City of Manchester, the Town of
Bedford, and ExxonMobil hereby agree, each with the other as follows:

IMPROVEMENT OF TRAFFIC SIGNAL

ExxonMobil shall initially pay for and improve the traffic signal at the South River Road, South Main Street, and Second Street intersection (the "Signal"), with that equipment and transmitting facilities, as more particularly described in the plans and specifications attached hereto as Exhibit A (the "Work"). The Work will be performed in accordance with the Standard Specifications for Highways, as adopted by the City of Manchester and as provided in the "Manual on Uniform Traffic Control Devices", as adopted by Manchester. During ExxonMobil's performance of the Work, Manchester shall make periodic inspections of the Work to ensure compliance with the Department's standards. Upon completion of the Work, Manchester shall provide a final inspection and certification of compliance with the specifications, pursuant to the Department's standards. ExxonMobil shall coordinate such installation with the Manchester Highway Department, so that the Work will occur with minimal disruption to traffic and maximum attention to safety.

ExxonMobil shall maintain public liability insurance and property damage liability insurance, in proper coverage amounts, to cover its actions under this Agreement and shall require similar insurance from any contractor/subcontractors hired to perform the Work, however, ExxonMobil may self insure.

Exxon Mobil shall complete the Work within eighteen (18) months from the date hereof, provided Manchester may grant an extension of time to fully perform the Work, in its sole discretion.

After completion of the Work, Bedford shall monitor the timing of the Signal and shall coordinate such timing with the South River Road, Colby Court, and Bedford Square intersection located in the Town of Bedford.

After completion of the Work, Manchester will continue to own the Signal and shall be responsible for the maintenance and cost of operating the Signal, including, without limitation, the following: (a) controller unit; (b) telephone line and charge; (c) payment for electricity; (d) pavement markings and signage; (e) signal hardware, including signal heads and signal poles; (f) meter pedestal; (g) OPTICOM detectors and beacons and OPTICOM fire pre-emption modules; and (h) emergency response and repair.

This is a New Hampshire contract to be governed by the laws of the State of New Hampshire and to be performed therein. With respect to any matter pertaining to this Agreement, all parties acknowledge that Hillsborough County Superior Court (North District) in Manchester, New Hampshire will be the sole jurisdiction and venue of any legal action. Notwithstanding the foregoing, Manchester and Bedford shall hold one another harmless from any liability claims from third parties, provided neither party will be required to indemnify the other.

This Agreement contains the entire agreement between the parties, all prior discussions, representations and writings being merged herein. This Agreement may only be changed by a written document executed by all parties.

2
Manchester and Bedford acknowledge that proper operation of the Signal will require a joint, coordinated effort on their parts.

DIVISION OF WORK

ExxonMobil will prepare through its own Engineer, all necessary plans, permits, and bidding documents required for the installation of a new traffic control signals, coordination, and roadway improvements as indicated above and as shown on the attached plans.

ExxonMobil will furnish through its own contractor, all necessary labor, materials, equipment and other services necessary for the installation of the traffic control signals, coordination, and roadway improvements as indicated above and as shown on the attached plans.

ExxonMobil agrees to require its Contractor to provide and cause to be maintained Public Liability Insurance and Property Damage Insurance, and also Contractor's Protective Public Liability and Property Damage Liability Insurance on behalf of the Town and the City, and to furnish evidence of such insurance to the Town and the City.

ExxonMobil, through either itself or its Contractor, agrees to provide a License and Permit Bond on behalf of the City of Manchester and the City of Bedford. The License and Permit Bond shall be in the amount of \$100,000.

ExxonMobil agrees not to advertise for construction nor award a contract for any work covered by this Agreement without prior approval by the City and Town of the final plans and specifications.

ExxonMobil agrees that work will not commence without written permission from the City of Manchester and the Town of Bedford. Prior to the commencement of any work, a preconstruction conference may be required by the City and/or Town.

The City and/or Town must approve all contractors, materials and equipment used in this installation. Contractors and subcontractors must be pre-qualified by the New Hampshire Department of Transportation for the type of work they are conducting.

ExxonMobil will furnish at its sole cost and expense, an engineer for proper inspection services necessary during the prosecution of work, and in turn, the City and/or Town will make periodic inspection for compliance with City and/or Town standards.

Upon completion of the work, ExxonMobil, through its Engineer, will be responsible for the final inspection and certification of compliance with specifications. All specifications must meet the Department's standards. Upon completion of the work, ExxonMobil shall submit an as-built drawing for inclusion in the traffic signal layout.

The City of Manchester and the City of Bedford will have reasonable rights of inspection and review of the work and its acceptance.

2

DIVISION OF EXPENSE

The entire cost of the modifications to the existing traffic control signal and the installation of the traffic control signal system as hereinbefore stated and as shown on said plans will be borne by ExxonMobil.

OWNERSHIP AND FUTURE MAINTENANCE

Upon the completion of the modifications to the existing traffic control signal and installation of traffic control signal system and appurtenances to the satisfaction of the City and/or Town, title to said signals and appurtenances shall vest with the City of Manchester and the Town of Bedford for their respective signals and thereafter maintain said signals and appurtenances as installed.

CLOSED LOOP MONITORING SYSTEM

The traffic control signals on Route 3 (South River Road) as mentioned above shall be incorporated into a closed loop monitoring system owned and maintained by the Town of Bedford.

For the purpose of this Agreement, the closed loop monitoring system shall include, but not necessarily be limited to, the master controller, all cabinets, telephone connections, and terminals for the same.

Upon the incorporation of the existing traffic control signals into the closed loop monitoring system to the satisfaction of the City of Manchester and the Town of Bedford, title to said system shall vest with the Town of Bedford, and the Town of Bedford shall thereafter have the obligation and authority to operate and maintain said system and appurtenances as installed.

Any future modifications to the traffic control signal at the intersection of Route 3 (South River Road) and South Main Street in the City of Manchester including, but not limited to timings and phasing adjustments, shall not be made without prior written authorization from the Town of Bedford.

All work covered by this Agreement must be completed within one year unless an authorized time extension is granted by the Department.

2

Witness our hands as of the date first-above written.

EXXONMOBIL OIL CORPORATION

Witness

By: _____
_____, its duly
authorized _____

TOWN OF BEDFORD

Witness

By: _____
Keith Hickey, its duly authorized
Town Manager

CITY OF MANCHESTER

Witness

By: _____
Frank Guinta, its duly authorized
Mayor

AA

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, and parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that chapter and Chapter 335 of the Sessions Laws of 1951.

STOP SIGNS:

- On Proctor Road at Hanover Street, NEC
- On Foch Street at Hanover Street, NWC
- On Alladin Street at Congressional Lane, NWC
- On Jobin Drive at Miami Court, SWC/NEC (3-way stop) (Emergency Act)
- On Miami Court at Jobin Drive, SWC (3-way stop) (Emergency Act)

NO PARKING (9AM – 5PM/Monday-Friday):

- On Ash Street, west side, from Orange Street to Prospect Street

NO PARKING ANYTIME:

- On Ash Street, east side, from Myrtle Street to a point 100 feet north
- On Oakhill Avenue, west side, from Reservoir Avenue to a point 500 feet north of Tower Hill Road
- On Oakhill Avenue, both sides, from Reservoir Avenue to Tower Hill Road
- On Oakland Avenue, north side, from Woodbine Avenue to a point 50 feet east (Emergency Act)
- On Oakland Avenue, north side, from Woodbine Avenue to a point 45 feet west (Emergency Act)
- On Pond Drive, west side, from a point 365 feet south of Goffs Falls Road to a point 65 feet southerly (Emergency Act)
- On Pond Drive, south side, from a point 225 feet west of Kennedy Avenue to a point 85 feet west

AA

Report of Cmte. on Public Safety & Traffic
Page 2

NO PARKING DURING SCHOOL HOURS:

On South Gray Court, east side, from Fernand Street to a point 84 feet south
(Emergency Act)

On South Gray Court, east side, from a point 196 feet south of Fernand Street to
the dead end southerly (Emergency Act)

RESCIND 2-HOUR PARKING:

On Brook Street, north side, from Elm Street East Street to Chestnut Street
(ORD. 2714)

On Temple Court, east side, from Harrison Street to a point 100 feet south of
Brook Street (ORD. 8848)

COMMERCIAL MOTOR VEHICLES PROHIBITED:

On Dearborn Street from a point 310 feet north of Grove Street to Summer Street

On Pine Island Road, from Brown Avenue to Whitwell Street

On Greenleaf Street, from Brown Avenue to Whitwell Street

RESCIND COMMERCIAL MOTOR VEHICLE TRAFFIC PROHIBITED

(9:30 PM – 7AM):

On Dearborn Street from a point 345 feet north of Grove Street to Summer Street
(ORD. 6659 – EMERGENCY ACT)

RESCIND YIELD SIGN:

On Proctor Road at Hanover Street, NEC

CROSSWALK:

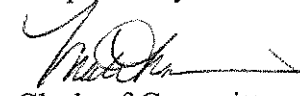

Across South Main Street, south of Hale Street

REPEALING PROVISIONS

That all rules and regulations now in effect in accordance with the provisions of an
Ordinance "Chapter 70 Motor Vehicles and Traffic" as adopted August 6, 2002,
with subsequent amendments thereto and inconsistent with the traffic rules and
regulations herein adopted be repealed.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee




City of Manchester Nominated 05/16/2006

Office of the Mayor
Hon. Frank C. Guinta

May 16, 2006

The Honorable Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Members of the Honorable Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- pending receipt of resume** (1) Gerard L Thibodeau to succeed Jen Drociak as a member of the Conservation Commission, term to expire August 1, 2006;
- Confirmed 06/06/2006** (2) Celia Phillips to succeed Jessica Kinsey as a member of the Arts Commission, term to expire December 1, 2007;
- Confirmed 06/06/2006** (3) Omer Beaudoin to succeed Sean Toomey as the labor representative member of the Fire Commission, term to expire May 1, 2009;
- Confirmed 06/06/2006** (4) Peter Favreau to succeed himself as a member of the Fire Commission, term to expire May 1, 2009;
- Confirmed 06/06/2006** (5) Michael J Landry as an alternate member of the Planning Board, term to expire May 1, 2007.

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated in advance.

Sincerely,

Frank C. Guinta
Mayor

Resume for

Gerard L. Thibodeau
103 Bow Street
Manchester, NH 03103

Education:

St. Martin Parochial School
Somersworth High School
UNH, Mechanical Engineering

Work history:

Good economy, Carpenter
Soft economy, Grocery stores

Business:

Finish Carpentry, www.thibco.com
1987 Gerard L. Thibodeau DBA THIBCO to 1989
1989 THIBCO, Inc. to present

Real Estate

1995 Alpheus, LLC to present

Organizations:

NH Wild Life Federation, past director
SCI, Member
NFIB, past vice chair, Leadership council
New Hampshire Business Council, BOD
Chamber of Commerce, Government Affairs Committee
Association of Architectural Millwork Installers, Inc., BOD
Job Creation Alliance, member
Sensible School Funding, member

Political ambitions: None, My wife and I have an agreement, if I don't run for public office, she won't divorce me

Interests:

Conservation
Clay shooting
Fishing, cold water, warm water, salt water
Hunting, throughout North America

Personal:

Born: June 15, 1947, Dover, NH, Resided: Somersworth, NH, Relocated: Manchester, NH, 1974 to present.
Marital Status, Spouse, Priscilla J. Turcotte Thibodeau, Children, Christine, 37; Sherrie, 35;
Grandchildren: one grandson, four granddaughters



CITY OF MANCHESTER Board of Aldermen



Memo To: Board of Mayor and Aldermen

From: Alderman Long

Date: June 20, 2006

Re: Nomination for Manchester Transit Authority

Enclosed for your consideration is the resume of Carol Ann Williams whose name I am submitting for nomination to the Manchester Transit Authority filling the unexpired term of David Jespersen, term to expire May 2007.

Your favorable consideration of this nomination on July 11th would be appreciated.

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Carol Ann Williams

Retired from County of Santa Clara, CA in various positions 1979-1990
due to paraplegia caused by Multiple Sclerosis
Relocated to New Hampshire 1993
Served three terms in the NH House of Representatives 1995-2001
One in District 39 – Two in District 43 in Manchester, NH

Executive Director for non-profit NH Regional Action Committees
Former Member Board of Director – 8 yrs GSIL
Former Member Advisory Board of Service Link, Manchester, NH
Former Member Board of Trustee - VNA/Elliot Hospital,
Member Board of Directors and Program Producer – MCAM
Manchester Community Access Media, Manchester, NH
Board Member - NH Center for Independent Living,
Former Vice Chair - State Independent Living Council, NH
Former Vice Chair Access Manchester
ADA Consultant - City of Manchester, NH
Previous Owner/Manager private business - Abilities Now

Producer of Community Access Television show “Moving Right Along”
regarding advocacy for people with disabilities

Served as volunteer for children with learning disabilities at Hallsville
Elementary School, Manchester, NH three mornings a week 2002-2004

Education: Cambridge High and Latin School, Cambridge, MA
San Jose State University, San Jose, CA - BA Psychology
NH College, Hookset, NH Certificate Small Bus. Mgmt.
Personal: Born in Cambridge, MA on Feb 2, 1937 one of 7 children.
Mother of 4. Grandmother of 5 Great-grandmother of 3
User of power wheelchair due to Multiple Sclerosis.

21 Bradley St. #4
Manchester, NH 03103
Hm.Tel. (603) 622-2565 Cell (603) 674-2864
Email address – chrusr@comcast.net

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City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926, Grade 24

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Establish Airport Financial Manager, Class Code 9926, Grade 24
exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

Proposed



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City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Airport Financial Manager
Class Code Number	9926-24

General Statement of Duties

Manages Airport revenue, bond covenant compliance and accounting interface with City systems; plans, coordinates and supervises Airport accounting personnel; performs other related work as required.

Distinguishing Features of the Class

The principle functions of an employee in this class are to ensure that Airport revenue is managed in the most effective manner and to ensure that all Airport bond covenant compliance and Trustee requirements are met in a timely fashion. Work is performed under the supervision and direction of the Assistant Airport Director for Finance and Administration and the Airport Director, but considerable leeway is granted for the exercise of independent judgment and initiative. Supervision is exercised over the work of all financial staff employees and related personnel. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other city employees, outside auditors, business organizations and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work (illustrative only)

- Develops and manages the implementation of fiscal control measures and balancing mechanisms for the Airport's financial operations, including revenue analysis, cash balance determinations and weekly, monthly and annual reconciliation's;
- Researches and implements bond compliance measures for applicable statutory or regulatory requirements affecting cash flow or related public fiscal issues;

- Monitors the balancing of daily revenue, including the responsibility for all funds received;
- Handles all Airport responsibilities for long term debt;
- Processes timely transfers and principle interest payments for all of the Airport's long term debt instruments;
- Receives and evaluates Airport related competitive offerings as appropriate and recommends beneficial opportunities;
- Supervises, trains and evaluates employees involved in the Airport's financial operations, including direct supervision to ensure compliance with all applicable laws, regulations and general accounting standards;
- Assists the Airport Director and the Assistant Airport Director with the compilation and preparation of the Airport's Annual Audit Report and the accompanying Management Discussion and Analysis;
- Plays a major role in the preparation of the Airport's annual budget;
- Utilizes and manipulates the Airport's rates and charges financial model to assure optimum annual airlines rates and charges preparation; makes recommendations on same;
- Manages and maintains the Airport's Passenger Facility Charge (PFC) application and continuing requirements and collection process;
- Closely coordinates with the Assistant Airport Director for engineering and planning on all capital improvement projects; reviews and makes recommendations on the financial impacts of same;
- Closely coordinates with the Assistant Airport Director for Properties and Contract Management on all matters regarding the rental car Customer Facility Charge (CPC) and the accounting of same;
- Liaison with FAA regional and national personnel on all required financial compliance matters;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate superiors and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principle practices and new developments in assigned work areas;

Required Knowledge, Skills and Abilities
(at time of appointment)

- Comprehensive knowledge of revenue management processes;
- Comprehensive knowledge of financial analysis and reporting;
- Comprehensive knowledge of Generally Accepted Accounting Principles;
- Comprehensive knowledge of data processing technology as applied to financial and accounting functions;
- Comprehensive knowledge of financial office procedures and practices;
- Comprehensive knowledge of accounts payable, cost accounting and payroll processes;

- Comprehensive knowledge of FAA Pt.158 Passenger Facility Charge processes and procedures;
- Comprehensive knowledge of FAA financial reporting processes and procedures as they apply to airport revenue;
- Comprehensive knowledge of FAA Airport Improvement Program processes and procedures;
- Comprehensive knowledge of Airport/Airline Rates and Charges processes and procedures;
- Comprehensive knowledge of the Airport and the City budgeting processes and procedures;
- Thorough knowledge of current principles, practices and ethics used in receiving, disbursing, depositing and securing large amounts of public funds;
- Thorough knowledge of balance sheet and income statement transactions;
- Thorough knowledge of the principles and practices of personnel administration within the public sector;
- Ability to interpret accounting reports and records and to analyze accounting data for control and reporting purposes;
- Ability to handle confidential and administrative information with tact and discretion;
- Ability to supervise, train and evaluate the work of others;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelor's Degree in Public Administration, Accounting, Finance or a related field; and
- Five years of experience in Accounting, including Airport and Municipal accounting, preferably with a CPA accreditation.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

Approved by: _____ Date: _____

City of Manchester
New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Canine Handler Supervisor) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Establish new classification, Canine Handler Supervisor

SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Establish Canine Handler Supervisor, Grade 17, non-exempt

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Establish new class specification, Class Code 9152, Canine Handler Supervisor (See attached).

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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Proposed



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Canine Handler Supervisor
Class Code Number	9152-17

General Statement of Duties

Responsible for supervising Canine Handlers and carries out administrative functions and record keeping in relation to the Canine Program.

Patrols airport facilities in the secure, sterile, and non-secure areas to promptly respond to threats that affect public safety or air carrier operations. Conducts canine training and/or patrols within the view of the public to provide a noticeable deterrent. Performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to **serve as the lead worker for and to participate with Canine Handlers in** conducting emergency and routine security sweeps for the detection or deterrence of explosive threats in the airport environment. The work is performed under the supervision **and direction** of the Airport Security Manager **but leeway is granted for the exercise of independent judgment and initiative.** **Ensures and participates in the coordination** and conducts **of** regular canine training. Performs daily canine care and ensures the health and welfare of the canine in order to optimize team performance. This highly specialized class is a working **supervisory** level civilian canine handler position inspecting airport facilities for the Airport, air carriers, and tenants. This position requires specialty training as provided by the Transportation Security Administration (TSA) in the management of canines dedicated to explosives detection. This position is responsible for the ongoing and continuous training and care of the assigned dog **as well as ensuring care of team dogs.** The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other staff members, government agencies, law enforcement officials, Airport

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tenants, other City employees and the public. The principal duties of this class are performed in both an indoor and outdoor work environment, often in extreme weather conditions. An employee in this class may also be required to handle and/or manage hazardous waste and if so, appropriate training will be provided annually.

Examples of Essential Work
(illustrative only)

- Supervises and performs a wide variety of tasks involved with the operation of a canine team in an airport setting;
- Monitors activities of the canine program to ensure safety, security and compliance with airport, state and federal regulations;
- Ensures that various reporting, training and response requirements of the program are met;
- Ensures that team members properly store and maintain training materials;
- Ensures that pertinent documentation is prepared and appropriate records are maintained;
- Ensures that proper scheduling is maintained;
- Maintains a presence on a rotating basis in operational areas of the airport during peak and non-peak hours.
- Maintains liaison with Airport Operations, Airport Law Enforcement Unit and Airport Fire Department as well as surrounding Law Enforcement Agencies and Canine Teams.
- Responsible for ongoing canine training as mandated by the TSA to include wide and narrow body aircraft, airline terminal and luggage, freight, warehouse and vehicles.
- Responsible for care and feeding of the canine, including maintaining the kennels in a sanitary condition.
- Maintains necessary training records as defined by the TSA. Operates an Airport Vehicle equipped with a kennel to transport the canine to various work sites and home.
- Uses explosive detection canines to inspect facilities, passengers, baggage, etc. for explosives.
- Enforces Airport security rules and regulations;
- Serves as a member of Airport emergency response team;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Writes reports as required;
- Performs other directly related duties consistent with the role and function of the classification.

**Required Knowledge, Skills and Abilities
(at time of appointment)**

Knowledge of:

- Techniques for dealing with the public and employees, in person, often where relations may be confrontational or strained;
- **Thorough knowledge of leadership and team building principles;**
- Record keeping principles and practices;
- Computer applications related to the work;

Skill in:

- Expressing verbal and physical enthusiasm to motivate the canine;
- Learning and applying information regarding airport procedures, topography, operations and facilities;
- Working without close supervision in both emergency and standard work situations;
- Assessing and prioritizing situations and determining appropriate response;
- Maintaining accurate records of training performed;
- Using initiative and independent judgment within established procedural guidelines;
- Contributing effectively to the accomplishment of team or work unit goals, objectives and activities;
- Speaking English effectively to communicate in person, on the radio or over the telephone;
- Accurately perceiving, soundly reasoning and correctly judging situations;
- Taking charge of and directing others in emergencies or other dangerous incidents;
- Writing accurate reports.
- Ability to learn and understand safe handling of explosives used in canine training according to TSA mandates;
- Ability to understand and follow principles and practices of canine handling techniques, motivation, care and feeding;
- Ability to learn and understand applicable laws, codes and regulations including Airport Security requirements;
- Ability to understand and follow safety principles, practices and equipment related to the work;
- Ability to train and handle a canine for the purposes of explosive detection;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks;
- Ability to learn and apply Airport security and safety rules and regulations;
- Ability to discern presence of hazards and/or potentially dangerous situations;

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Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- One year of fulltime work experience related to the care, handling and training of working canine used in security/enforcement; or
- Associate's Degree in Criminal Justice or some law enforcement training preferred;
- Experience in an airport or security setting is desirable;
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

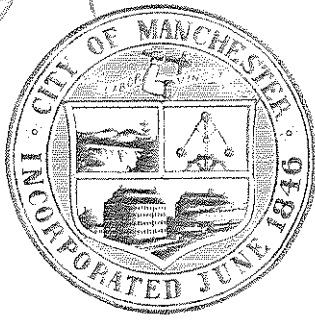
Required Special Qualifications

- Must successfully complete the TSA Explosives Detection Handler Course during probation;
- Requires a three-year commitment upon successful completion of the course
- Must possess a valid New Hampshire Driver's License;
- Annual certification by the TSA Explosives Detection Handler program;
- Work extended shifts, which may include weekends and holidays;
- Take calls and be able to respond to the airport within a maximum of 45 minutes;
- On call status

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to understand department and safety rules and regulations and work around high traffic areas;
- Capable of meeting all physical requirements specified in TSA guidelines for Explosive Detection Handler program;
- Must be able to stand and walk for extended periods of time; must be able to climb stairs.
- Must be able to care for the canine 24 hours a day, **at work and in home environment**;
- Work inside in noisy environments, and work outside in all weather conditions.
- Work with explosives;
- Exposure to unknown and potentially dangerous situations.

Approved by: _____ Date: _____



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

June 6, 2006

Honorable Board of Mayor and Aldermen
CITY OF MANCHESTER
One City Hall Plaza
Manchester, New Hampshire 03101

Attn.: Mr. Leo R. Bernier, City Clerk

Re: *"Household Hazardous Waste Collection Project"*
Fall 2006

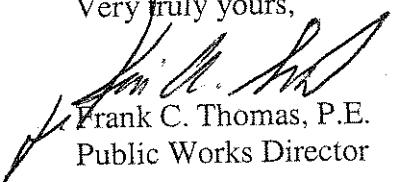
Dear Committee Members:

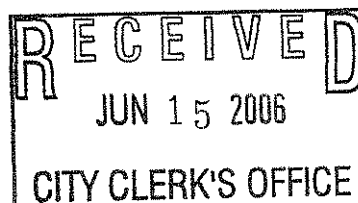
Please be informed that the Department of Highways is proposing to conduct another "Household Hazardous Waste Collection Project" this fall. We have selected **Saturday, October 14, 2006** as the date for collection. The collection site will be set up at the Drop-Off Facility on Dunbarton Road and household hazardous wastes will be accepted between the hours of 9:00 AM and 2:00 PM.

Also be informed that the City is eligible for up to \$11,500 in state hazardous waste clean-up fund monies from the State of New Hampshire, Department of Environmental Services, Waste Management Division for the above referenced program.

We hereby request your authorization to accept the aforementioned funds and to enter into a contract with the NH Department of Environmental Services, Waste Management Division for the same. We further request that the Public Works Director be authorized to execute any documents that may be necessary for this contract. An original, notarized "Certificate of Authority" will be necessary for the State.

Very truly yours,


Frank C. Thomas, P.E.
Public Works Director





CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

Stephen Johnson, Chairman
Sandra Lambert, Clerk
George "Butch" Joseph
Michael Worsley
Dennis Smith
Ronald Ludwig, Director

June 6, 2006

The Honorable Board of Mayor and Alderman
City Hall
908 Elm Street
Manchester, NH 03101

Re: Black Brook Dam

Dear Members of the Board:

Black Brook Dam has been the subject of several letters of deficiency from the State of New Hampshire Department of Environmental Services Water Division Dam Bureau. Since Black Brook is very old, certain items have been identified by the NHDES that need repair. Following the letters of deficiency, the Board of Mayor & Alderman's Committee on Lands & Buildings has discussed the two options for addressing the dam.

The first option is to repair the dam as described in the letters of deficiency. The engineering firm of Dubois & King was hired several years ago to evaluate the dam and provide a construction estimate to complete the necessary repairs. Their estimate to repair identified deficiencies was submitted to our office in 2003 in the amount of \$60,000. Due to inflation and general increased construction costs we anticipate these repairs will cost approximately \$85,000.

The second option is to remove the dam entirely and restore the original stream channel. This NHDES has reviewed the feasibility of eliminating the Dam and restoring the brook to its original form and has determined that there are benefits that the City should consider including costs for annual maintenance, safety and environmental improvements.

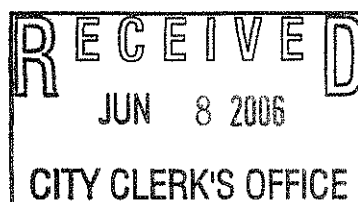
Should the City decide that the appropriate action is removal of the dam, this dept will be working with The State in a partnership to coordinate the project. Removal of the dam would be funded 60% from the State and the remaining 40% could be in-kind services from the City resulting in a greatly reduced net cost to the City.

Since neither action has been taken the NHDES, has issued an Executive Order (see attached) to the City. This order mandates the completion of either action by the city according to the schedule as outlined in the Executive Order. Since no funding has been recommended in the FY-07 budget this department respectfully seeks the guidance of the Board in this matter.

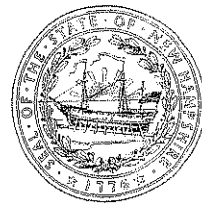
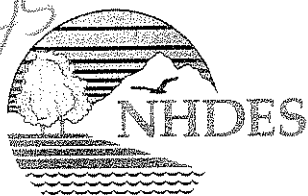
Best Regards,

Chuck DePrima, Deputy Director

Cc: Ronald E. Ludwig, Director
Sean Thomas, Mayors Office
Robert S. MacKenzie, Planning Director
Sam Maranto, CIP



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The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

City of Manchester
Attn: Parks & Recreation Department
625 Mammoth Road
Manchester, NH 03104

**ADMINISTRATIVE ORDER
No. WD 06-015**

May 25, 2006

Re: Black Brook Dam
Dam #150.07

A. INTRODUCTION

This Administrative Order is issued by the Department of Environmental Services, Water Division to the City of Manchester, pursuant to RSA 482:12 and RSA 482:87. This order is effective immediately upon issuance.

B. PARTIES

1. The Department of Environmental Services, Water Division ("DES"), is a duly-constituted administrative agency of the State of New Hampshire, having its principal office at 29 Hazen Drive, Concord, New Hampshire.
2. The City of Manchester is a duly-constituted municipality of the State of New Hampshire having a mailing address of 625 Mammoth Road, Manchester, NH 03104.

C. STATEMENTS OF FACTS AND LAW

1. Pursuant to RSA 482, DES regulates the construction and maintenance of dams so as to meet the stated statutory objectives, including the regulation of water levels, the lessening of flood damage, and the enhancement of public safety. Pursuant to RSA 482:87, the Commissioner of DES has adopted NH Admin. Rules Env-Wr 100-700 to implement this program.
2. According to DES records, the City of Manchester (the "City") owns the dam in Manchester, New Hampshire known as the Black Brook Dam, further identified as Dam #150.07 (the "Dam"). The Dam is located approximately 40 feet upstream of the secondary state highway, NH Route 3A, in Manchester, New Hampshire.
3. RSA 482:12 requires DES to periodically inspect all dams in the state which may pose a menace to public safety, and to take action to ensure that the dam is repaired if the inspection indicates that the public safety so requires.
4. RSA 482:2, V, defines a "dam in disrepair" as a dam which is a menace to public safety and is incapable of safely impounding flood waters to its crest, or is incapable of maintaining a reasonably constant level of waters impounded or which does not contain adequate gates and sluiceways to provide for the holding or controlled discharge of waters impounded.

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5. RSA 482:11-a requires the owner of a dam to maintain and repair the dam so that it does not become a "dam in disrepair."

6. Env-Wr 101.25 defines "menace to public safety" as any dam, the failure of which would threaten life or property. Property, when used in this context, means buildings, structures or other real estate.

7. Env-Wr 101.08 defines "Class B Structure" as a dam with a significant hazard potential the failure of which would result in structural damage to a secondary state highway.

8. The Dam has been classified as a Class B Structure by DES because its failure would overtop a portion of a secondary state highway, Route 3A, and could cause damage to the bridge, which is approximately 40 feet downstream of the dam. There also exists the possibility of minor flooding to the area adjacent to the brook just downstream of the bridge.

9. On November 14, 2001, an inspection of the Dam was conducted in accordance with RSA 482:12 and Env-Wr 302.02 and the following deficiencies were noted by DES staff:

- The upstream face of the waste gate bar rack was clogged with debris;
- The concrete is spalling on the upstream face of the right abutment, toward the waste gate. In addition, there is a significant amount of efflorescence on this abutment; and
- There is seepage at the base of the right masonry spillway abutment wall. The seepage discharge appears to have increased to an estimated 5 gpm since the Dam was last evaluated in 1997. At the time of the 1997 inspection, the water level was approximately 6" lower than it was during the 2001 inspection.
- The operation and maintenance plan is in need of updating.
- The emergency action plan needs to be updated and tested.

10. On September 13, 2002, DES sent a Letter of Deficiency (the "LOD") to the City requesting that the deficiencies in C.9 above be corrected by December 31, 2002.

11. On October 10, 2002 the City responded to the LOD with a request to extend the deadline for repairs until 7/31/03.

12. On December 3, 2002 the City received an engineering estimate from a consulting firm for repair of the right concrete retaining wall. No schedule was proposed for the work.

13. On September 22, 2003 a follow-up inspection was conducted by DES. A sinkhole, approximately 1.5 feet wide by 3.5 feet deep, on the right downstream embankment adjacent to

the concrete abutment wall was noted. The City was notified of the inspection results. The follow-up inspection also revealed that work requested in the 9/13/02 LOD had not been addressed.

14. On July 29, 2004 and November 16, 2004 follow-up inspections were conducted by DES. The requested repair work noted in the 9/13/02 LOD and repair of the sinkhole had not been performed.

15. On June 22, 2005 DES conducted an inspection of the Dam with Mr. Chuck DePrima from the Manchester Parks and Recreation Department. The inspection resulted in the following deficiencies being noted by DES staff:

- A sinkhole, approximately 1.5 feet wide by 3.5 feet deep, on the right downstream embankment adjacent to the concrete abutment wall has been present since the fall of 2003. Below this sinkhole a seep has been discharging from the downstream right spillway training wall and noted in past inspections since 1985.
- The concrete on the right upstream retaining wall is cracked and spalling along most of its length.
- The operation and maintenance plan, dated 2002, needs updating.
- The Dam cannot pass the 100-year design storm event with one foot of freeboard and no operations.
- The annual review of the EAP is due.

15. On December 21, 2005 DES issued a letter to the City stating that an administrative order would be issued unless DES was contacted by the City regarding repair or removal of the dam. To date DES does not have a record of any response from the City to this letter.

16. The Dam is in disrepair as defined in RSA 482:2 V.

17. The Dam is a menace to public safety in its current state of disrepair, as a failure of the Dam would damage the downstream secondary state highway, NH Route 3A, in Manchester, New Hampshire.

D. DETERMINATION OF VIOLATIONS

1. The City of Manchester has violated RSA 482:11-a by failing to maintain the Dam to prevent it from becoming a "dam in disrepair".

E. ORDER

Based on the above findings, DES hereby orders the City of Manchester as follows:

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By July 30, 2006

1. Provide evidence to DES that the City has hired a qualified engineering firm to conduct a comprehensive structural evaluation of the dam. The evaluation must include, at a minimum, (a) an investigation into the leakage on the right downstream abutment wall where a sinkhole has developed above the seep on the right downstream embankment; and (b) an investigation into the inadequacy of the dam to pass the design storm event with one foot of freeboard and no operations (Env-Wr 303.11-a-2), which should be based on a detailed hydrologic analysis of the watershed.
2. Stabilize the sinkhole in the right downstream embankment such that it does not worsen during the evaluation period.
3. Update the operation and maintenance plan. Include a monitoring schedule in the Operation and Maintenance Plan. Carefully monitor the seepage at the base of the right masonry spillway abutment wall and notify the DES if there is any increase. Record the seepage discharge rate and corresponding pond level.
4. Repair the spalling concrete on the right upstream retaining wall.
5. Review the Emergency Action Plan ("EAP") as required annually. Provide DES with any revisions or notify DES that the EAP is current.

By December 31, 2006

6. Conduct a deep drawdown in the presence of a licensed and qualified engineer in order to conduct a detailed inspection of the Dam in the vicinity of the right abutment. This work is recommended, in part, to further investigate the leakage on the right downstream abutment wall and sinkhole that has developed above the seep on the right downstream embankment.
7. Provide an engineering assessment and recommendations to address items outlined in items E.1 and E.6, as well as all other deficiencies in need of attention.
8. Obtain all necessary permits (e.g. DES Wetlands Bureau and Dam Bureau permits) for the reconstruction of the Dam.

By December 31, 2007

9. Complete reconstruction of the Dam as recommended by the engineering investigation.

If the City elects to remove the Dam, then the City must address Item E.10 through E.12, below:

10. **By July 30, 2006** notify DES of decision by the City to remove the dam.

11. By **December 31, 2007**, submit design plans, specifications and any required DES permit applications for the removal of the Dam.
12. By **December 31, 2008**, remove the Dam in accordance with the approved plans, specifications, and permit conditions.

Send correspondence, data, reports, and other submissions made in connection with this Administrative Order, **other than appeals**, to DES as follows:

Grace Levergood, P.E., Dam Safety Engineer, Dam Bureau
DES Water Division
P.O. Box 95
Concord, NH 03302-0095
Phone: (603) 271-1971
Fax: (603) 271-7894
E-mail: glevergood@des.state.nh.us

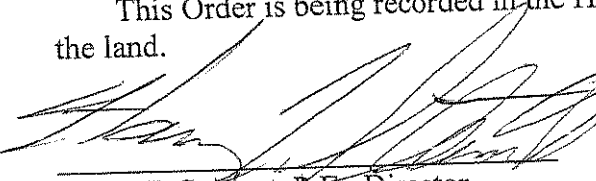
F. APPEAL

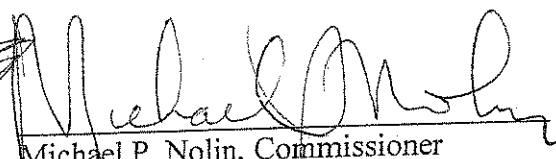
Any person aggrieved by this Order may appeal the Order to the Water Council by filing an appeal that meets the requirements specified in Env-Wc 200 within 30 days of the date of this Order. Copies of the rule are available from the DES Public Information Center at (603) 271-2975 or at <http://www.des.state.nh.us/desadmin.htm>. Appealing the Order does not automatically relieve the City of the obligation to comply with the Order.

G. OTHER PROVISIONS

Please note that RSA 482:89 provides for administrative fines and criminal penalties for the violations noted in this Order. DES will continue to monitor the City's compliance with applicable requirements and will take appropriate action if additional violations are discovered.

This Order is being recorded in the Hillsborough County Registry of Deeds so as to run with the land.


Harry T. Stewart, P.E., Director
Water Division


Michael P. Nolin, Commissioner
Department of Environmental Services

Certified Mail/RRR: 7000 1670 0000 0588 6660
cc: Gretchen Hamel, DES Legal Unit Administrator
Public Information Officer, DES PIP Office
NH AGO



**City Of Manchester
Department of Highways
Environmental Protection Division**

300 Winston Street
Manchester, New Hampshire 03103-6826
(603) 624-6595 Fax (603) 628-6234

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

June 29, 2006

The Honorable Board of Mayor and Aldermen
One City Hall Plaza
Manchester, New Hampshire 03101

RE: Warrant for Sewer Charges Levy 2006
Period #1

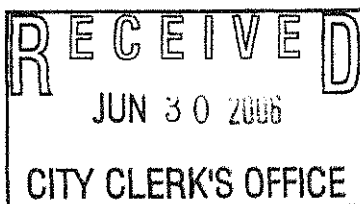
Dear Board Members:

Please be advised that the warrant for Sewer Charges encompassing all delinquent sewer rental charges from 2/17/06 to 5/11/06 in accordance with RSA:9 and 252:10, that are to be committed to the Collector of Taxes will be included on the agenda for the July 11, 2006 meeting of the Board of Mayor and Aldermen. A clerk will submit the amount of said warrant at the time of the meeting.

Sincerely,

June George
Business Service Officer

/JG



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City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926, Grade 24

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Establish Airport Financial Manager, Class Code 9926, Grade 24
exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

Proposed



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City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Airport Financial Manager
Class Code Number	9926-24

General Statement of Duties

Manages Airport revenue, bond covenant compliance and accounting interface with City systems; plans, coordinates and supervises Airport accounting personnel; performs other related work as required.

Distinguishing Features of the Class

The principle functions of an employee in this class are to ensure that Airport revenue is managed in the most effective manner and to ensure that all Airport bond covenant compliance and Trustee requirements are met in a timely fashion. Work is performed under the supervision and direction of the Assistant Airport Director for Finance and Administration and the Airport Director, but considerable leeway is granted for the exercise of independent judgment and initiative. Supervision is exercised over the work of all financial staff employees and related personnel. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other city employees, outside auditors, business organizations and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work (illustrative only)

- Develops and manages the implementation of fiscal control measures and balancing mechanisms for the Airport's financial operations, including revenue analysis, cash balance determinations and weekly, monthly and annual reconciliation's;
- Researches and implements bond compliance measures for applicable statutory or regulatory requirements affecting cash flow or related public fiscal issues;

- Monitors the balancing of daily revenue, including the responsibility for all funds received;
- Handles all Airport responsibilities for long term debt;
- Processes timely transfers and principle interest payments for all of the Airport's long term debt instruments;
- Receives and evaluates Airport related competitive offerings as appropriate and recommends beneficial opportunities;
- Supervises, trains and evaluates employees involved in the Airport's financial operations, including direct supervision to ensure compliance with all applicable laws, regulations and general accounting standards;
- Assists the Airport Director and the Assistant Airport Director with the compilation and preparation of the Airport's Annual Audit Report and the accompanying Management Discussion and Analysis;
- Plays a major role in the preparation of the Airport's annual budget;
- Utilizes and manipulates the Airport's rates and charges financial model to assure optimum annual airlines rates and charges preparation; makes recommendations on same;
- Manages and maintains the Airport's Passenger Facility Charge (PFC) application and continuing requirements and collection process;
- Closely coordinates with the Assistant Airport Director for engineering and planning on all capital improvement projects; reviews and makes recommendations on the financial impacts of same;
- Closely coordinates with the Assistant Airport Director for Properties and Contract Management on all matters regarding the rental car Customer Facility Charge (CPC) and the accounting of same;
- Liaison with FAA regional and national personnel on all required financial compliance matters;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate superiors and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principle practices and new developments in assigned work areas;

Required Knowledge, Skills and Abilities
(at time of appointment)

- Comprehensive knowledge of revenue management processes;
- Comprehensive knowledge of financial analysis and reporting;
- Comprehensive knowledge of Generally Accepted Accounting Principles;
- Comprehensive knowledge of data processing technology as applied to financial and accounting functions;
- Comprehensive knowledge of financial office procedures and practices;
- Comprehensive knowledge of accounts payable, cost accounting and payroll processes;

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- Comprehensive knowledge of FAA Pt.158 Passenger Facility Charge processes and procedures;
- Comprehensive knowledge of FAA financial reporting processes and procedures as they apply to airport revenue;
- Comprehensive knowledge of FAA Airport Improvement Program processes and procedures;
- Comprehensive knowledge of Airport/Airline Rates and Charges processes and procedures;
- Comprehensive knowledge of the Airport and the City budgeting processes and procedures;
- Thorough knowledge of current principles, practices and ethics used in receiving, disbursing, depositing and securing large amounts of public funds;
- Thorough knowledge of balance sheet and income statement transactions;
- Thorough knowledge of the principles and practices of personnel administration within the public sector;
- Ability to interpret accounting reports and records and to analyze accounting data for control and reporting purposes;
- Ability to handle confidential and administrative information with tact and discretion;
- Ability to supervise, train and evaluate the work of others;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelor's Degree in Public Administration, Accounting, Finance or a related field; and
- Five years of experience in Accounting, including Airport and Municipal accounting, preferably with a CPA accreditation.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

Approved by: _____

Date: _____

City of Manchester
New Hampshire

In the year Two Thousand and

six

AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Canine Handler Supervisor) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Establish new classification, Canine Handler Supervisor

SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Establish Canine Handler Supervisor, Grade 17, non-exempt

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Establish new class specification, Class Code 9152, Canine Handler Supervisor (See attached).

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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Proposed



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Canine Handler Supervisor
Class Code Number	9152-17

General Statement of Duties

Responsible for supervising Canine Handlers and carries out administrative functions and record keeping in relation to the Canine Program.

Patrols airport facilities in the secure, sterile, and non-secure areas to promptly respond to threats that affect public safety or air carrier operations. Conducts canine training and/or patrols within the view of the public to provide a noticeable deterrent. Performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to **serve as the lead worker for and to participate with Canine Handlers in** conducting emergency and routine security sweeps for the detection or deterrence of explosive threats in the airport environment. The work is performed under the supervision **and direction** of the Airport Security Manager **but leeway is granted for the exercise of independent judgment and initiative.** Ensures and participates in the coordination and conducts of regular canine training. Performs daily canine care and ensures the health and welfare of the canine in order to optimize team performance. This highly specialized class is a working **supervisory** level civilian canine handler position inspecting airport facilities for the Airport, air carriers, and tenants. This position requires specialty training as provided by the Transportation Security Administration (TSA) in the management of canines dedicated to explosives detection. This position is responsible for the ongoing and continuous training and care of the assigned dog **as well as ensuring care of team dogs.** The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other staff members, government agencies, law enforcement officials, Airport

tenants, other City employees and the public. The principal duties of this class are performed in both an indoor and outdoor work environment, often in extreme weather conditions. An employee in this class may also be required to handle and/or manage hazardous waste and if so, appropriate training will be provided annually.

Examples of Essential Work
(illustrative only)

- Supervises and performs a wide variety of tasks involved with the operation of a canine team in an airport setting;
- Monitors activities of the canine program to ensure safety, security and compliance with airport, state and federal regulations;
- Ensures that various reporting, training and response requirements of the program are met;
- Ensures that team members properly store and maintain training materials;
- Ensures that pertinent documentation is prepared and appropriate records are maintained;
- Ensures that proper scheduling is maintained;
- Maintains a presence on a rotating basis in operational areas of the airport during peak and non-peak hours.
- Maintains liaison with Airport Operations, Airport Law Enforcement Unit and Airport Fire Department as well as surrounding Law Enforcement Agencies and Canine Teams.
- Responsible for ongoing canine training as mandated by the TSA to include wide and narrow body aircraft, airline terminal and luggage, freight, warehouse and vehicles.
- Responsible for care and feeding of the canine, including maintaining the kennels in a sanitary condition.
- Maintains necessary training records as defined by the TSA. Operates an Airport Vehicle equipped with a kennel to transport the canine to various work sites and home.
- Uses explosive detection canines to inspect facilities, passengers, baggage, etc. for explosives.
- Enforces Airport security rules and regulations;
- Serves as a member of Airport emergency response team;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Writes reports as required;
- Performs other directly related duties consistent with the role and function of the classification.

**Required Knowledge, Skills and Abilities
(at time of appointment)**

Knowledge of:

- Techniques for dealing with the public and employees, in person, often where relations may be confrontational or strained;
- **Thorough knowledge of leadership and team building principles;**
- Record keeping principles and practices;
- Computer applications related to the work;

Skill in:

- Expressing verbal and physical enthusiasm to motivate the canine;
- Learning and applying information regarding airport procedures, topography, operations and facilities;
- Working without close supervision in both emergency and standard work situations;
- Assessing and prioritizing situations and determining appropriate response;
- Maintaining accurate records of training performed;
- Using initiative and independent judgment within established procedural guidelines;
- Contributing effectively to the accomplishment of team or work unit goals, objectives and activities;
- Speaking English effectively to communicate in person, on the radio or over the telephone;
- Accurately perceiving, soundly reasoning and correctly judging situations;
- Taking charge of and directing others in emergencies or other dangerous incidents;
- Writing accurate reports.
- Ability to learn and understand safe handling of explosives used in canine training according to TSA mandates;
- Ability to understand and follow principles and practices of canine handling techniques, motivation, care and feeding;
- Ability to learn and understand applicable laws, codes and regulations including Airport Security requirements;
- Ability to understand and follow safety principles, practices and equipment related to the work;
- Ability to train and handle a canine for the purposes of explosive detection;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks;
- Ability to learn and apply Airport security and safety rules and regulations;
- Ability to discern presence of hazards and/or potentially dangerous situations;

Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- One year of fulltime work experience related to the care, handling and training of working canine used in security/enforcement; or
- Associate's Degree in Criminal Justice or some law enforcement training preferred;
- Experience in an airport or security setting is desirable;
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- Must successfully complete the TSA Explosives Detection Handler Course during probation;
- Requires a three-year commitment upon successful completion of the course
- Must possess a valid New Hampshire Driver's License;
- Annual certification by the TSA Explosives Detection Handler program;
- Work extended shifts, which may include weekends and holidays;
- Take calls and be able to respond to the airport within a maximum of 45 minutes;
- On call status

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to understand department and safety rules and regulations and work around high traffic areas;
- Capable of meeting all physical requirements specified in TSA guidelines for Explosive Detection Handler program;
- Must be able to stand and walk for extended periods of time; must be able to climb stairs.
- Must be able to care for the canine 24 hours a day, **at work and in home environment**;
- Work inside in noisy environments, and work outside in all weather conditions.
- Work with explosives;
- Exposure to unknown and potentially dangerous situations.

Approved by: _____ Date: _____

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by inserting new language as bolded (**bold**), and deleting existing language as ~~struckthrough~~. Portions of the following sections that remain unchanged appear in regular type.

§ 70.48 DENOMINATION OF COIN TO BE DEPOSITED AND TIME ALLOTTED THEREFOR.

(A) Whenever any vehicle shall be parked next to a parking meter on any day, when parking regulations as provided for under the provisions of this chapter are in effect, the owner or operator of said vehicle shall park within the area designated by the curb and street marking lines as indicated for parallel, or diagonal parking on public highways or in municipal parking lots within the lines indicated for the parking meter selected by the operation of the motor vehicle, and upon entering said parking space shall immediately deposit in said parking meter any lawful coin or coins of the United States in the proper amount depending upon the location and the length of time such vehicle can be legally parked as prescribed for that zone by this chapter and shall put the meter in operation; provided, however, that such owner or operator may use the unexpired time remaining on the meter from the previous use without depositing a coin therein, and provided further that no vehicle shall be parked for longer than the period prescribed for that zone by this chapter. When a vehicle is too large to be confined in a single space, only the meter nearest the hood of the front end of said vehicle need be operated. If a vehicle shall remain parked in any parking space for longer than the time prescribed by this chapter or for such length of time that the parking meter shall display a signal indicating illegal parking, then in that event such vehicle shall be considered as parked overtime.

(B) It shall be unlawful to deposit or cause to be deposited in any parking meter anything other than a coin or coins of the United States.

(C) It shall be unlawful to park in any space without a meter beyond the prescribed time.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 70.78 PENALTY.

(A) Each owner or operator of a vehicle found in violation of any provision of Chapter 70 may pay in person or by mail to the Ordinance Violations Bureau the penalty for each violation pursuant to the following table:

VIOLATION	BASIC PENALTY	INCREASED PENALTY (After 7 days from the notice of violation)
Expired Parking Meter	\$10	\$20
Overtime Parking-Meter	\$15	\$30
Night Parking	\$25	\$50
Overtime Parking- No Meter	\$30	\$60
No Parking Zone	\$50	\$75
No Parking Tow Zone	\$50	\$75
Fire Lane	\$50	\$75
Parking Within 15 Feet of Fire Hydrant	\$50	\$75
Parking Within 5 Feet of Private Driveway	\$50	\$75
Handicapped Parking Space- Access Aisle	\$100	\$200
Handicapped Zone	\$250	\$300

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(B) Any violation of Chapter 70 not identified elsewhere in the code shall be issued pursuant to §38.06 (B) of this code.

~~§ 70.79 INCREASED PENALTIES.~~

~~Any person, firm or corporation who shall violate any of the provisions of Chapter 70 regulating standing, stopping or parking and who fails to dispose of the notice of violation as required by § 70.71 shall dispose of that notice of violation by paying an increased penalty as provided herein.~~

After 7 Days	
Expired Parking Meter	\$20.00
Overtime Parking	30.00
Night Parking	45.00
No Parking Zone	40.00
No Parking Tow Zone	50.00
Handicapped Zone	300.00
Handicapped Parking Space	
— Access Aisle	
— First Offense	75.00
— Subsequent Offenses	125.00
Fire Lane	50.00

~~Any person, firm or corporation responsible for a violation of this chapter who fails to pay the penalty or increased penalty for a notice of violation shall be guilty of a violation and shall, upon conviction, be punished by a fine as prescribed under § 130.99 of this Code.~~

II. This ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Resolution Adopting the provisions of RSA261:154 Additional Fees for Registration Permits."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the City of Manchester owns and operates public parking facilities and,

WHEREAS, the City of Manchester owns and operates the public parking facilities at a loss in an effort to stimulate intown economic development and,

WHEREAS, the City of Manchester has needs for additional capital requirements relative to public parking facilities and,

WHEREAS, the City of Manchester is a city with a population of greater than 50,000 as determined by the last federal census,

It is hereby resolved as follows:

SECTION 1 That the City of Manchester adopts the provisions of RSA 261:154 Additional Fees for Registration Permits.

SECTION 2 That the City of Manchester adopts fees for such permits as follows:

- 5 mills on each dollar of the maker's list price for a current model year vehicle
- 4 mills on each dollar of the maker's list price for the first preceding model year vehicle
- 3 mills on each dollar of the maker's list price for the second preceding model year vehicle
- 2 mills on each dollar of the maker's list price for the third preceding model year vehicle
- 1 mills on each dollar of the maker's list price for the fourth preceding model year vehicle and any model year prior thereto

SECTION 3 That the City of Manchester adopts a maximum fee of five dollars (\$5.00) and a minimum fee of one dollar (\$1.00)

SECTION 4 The additional fee provided for by this resolution shall not be charged to a veteran entitled to an exemption pursuant to RSA 261:157.

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City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Resolution Adopting the provisions of RSA261:154 Additional Fees for Registration Permits."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5 That the City of Manchester adopts the policy that the additional fee for any vehicle that is presently assessed a flat fee for registration shall be a five dollar (\$5.00) fee

SECTION 6 That the tax collector shall collect such additional fees for registrations that are effective September 1, 2006 and thereafter.

SECTION 7 That all fees collected shall be used for the construction, operation and maintenance of public parking facilities as provided in RSA 231:114-129

Resolved, that this resolution shall take effect upon its passage.

For "additional fees for auto registration"

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration that the Board establish a policy preventing part-time employees from purchasing health insurance upon retirement.

(Unanimous vote; Alderman Garrity absent)

IN BOARD OF ~~MAYOR & ALDERMEN~~

DATE: June 6, 2006


ON MOTION OF ALD. Gatsas

SECONDED BY ALD. Duval

VOTED TO table.


CITY CLERK

Respectfully submitted,



Clerk of Committee